

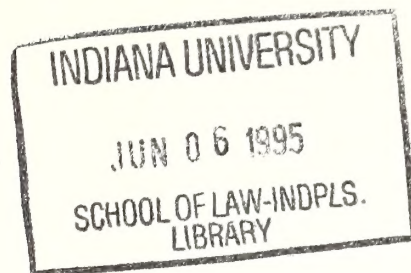






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JOURNAL OF PROCEEDINGS

OF THE

**City-County Council**

OF

INDIANAPOLIS-MARION COUNTY

State of Indiana

FROM

**January 1, 1994 to December 31, 1994**

Printed and Published Under the Authority of the  
City-County Council of Indianapolis-Marion County





**CITY-COUNTY OFFICIALS  
AND  
EXECUTIVE PERSONNEL**

**As of December 31, 1994**

Mayor ..... Stephen Goldsmith

**CITY-COUNTY COUNCIL OFFICERS**

President ..... Beurt R. SerVaas  
Vice President/Majority Leader ..... W. Tobin McClamroch  
Minority Leader ..... Rozelle Boyd  
Clerk of the Council ..... Suellen Hart

**CITY-COUNTY COUNCIL MEMBERS**

First District ..... Gordon G. Gilmer  
Second District ..... Beurt R. SerVaas  
Third District ..... William G. Schneider  
Fourth District ..... William A. Dowden  
Fifth District ..... Linda Beadling  
Sixth District ..... Elwood C. Black  
Seventh District ..... Stuart W. Rhodes  
Eighth District ..... Randy J. Shambaugh  
Ninth District ..... Monroe Gray, Jr.  
Tenth District ..... Paul Jones  
Eleventh District ..... Rozelle Boyd  
Twelfth District ..... Betty M. Ruhmkorff  
Thirteenth District ..... Cory O'Dell  
Fourteenth District ..... Z. Mae Jimison  
Fifteenth District ..... Mary B. Moriarty Adams  
Sixteenth District ..... Maggie M. Brents  
Seventeenth District ..... Jeffrey Golc  
Eighteenth District ..... Phillip Hinkle  
Nineteenth District ..... Kenneth Giffin  
Twentieth District ..... Timothy M. Mullin  
Twenty-first District ..... Frank T. Short  
Twenty-second District ..... Susan Williams  
Twenty-third District ..... David Smith  
Twenty-fourth District ..... Beulah A. Coughenour  
Twenty-fifth District ..... Philip Borst  
At Large ..... Carlton E. Curry  
At Large ..... Ron Franklin  
At Large ..... W. Tobin McClamroch  
At Large ..... Stephen R. West



## COMMITTEES OF THE CITY-COUNTY COUNCIL

### **Committee on Committees**

Beurt SerVaas, Chairman  
Rozelle Boyd  
W. Tobin McClamroch

### **Administration and Finance**

Stuart Rhodes, Chairman  
Elwood Black  
Beulah Coughenour  
Z. Mae Jimison  
Betty Ruhmkorff  
Randy Shambaugh  
Frank Short

### **Capital Asset Management**

Gordon Gilmer, Chairman  
Linda Beadling  
Maggie Brents  
William Dowden  
Phillip Hinkle  
Tim Mullin  
Cory O'Dell  
Susan Williams

### **Community Affairs**

Cory O'Dell, Chairman  
Elwood Black  
Maggie Brents  
Beulah Coughenour  
Ron Franklin  
Monroe Gray, Jr.  
Betty Ruhmkorff  
David Smith  
Stephen West

### **Economic Development**

Philip Borst, Chairman  
Ron Franklin  
Kenneth Giffin  
Paul Jones  
Timothy Mullin  
Betty Ruhmkorff  
David Smith  
Susan Williams

### **Metropolitan Development**

Stephen West, Chairman  
Rozelle Boyd  
Maggie Brents  
Gordon Gilmer  
Phillip Hinkle  
David Smith  
Susan Williams

### **Municipal Corporations**

William Schneider, Chairman  
Linda Beadling  
Elwood Black  
Carlton Curry  
Kenneth Giffin  
Jeffrey Golc  
Cory O'Dell  
Randy Shambaugh  
Frank Short

### **Parks and Recreation**

Kenneth Giffin, Chairman  
Jeff Golc  
Monroe Gray, Jr.  
Paul Jones  
Cory O'Dell  
Stuart Rhodes  
William Schneider  
Randy Shambaugh

### **Public Safety &**

### **Criminal Justice**

William Dowden, Chairman  
Philip Borst  
Carlton Curry  
Ron Franklin  
Z. Mae Jimison  
Mary Moriarty  
Tim Mullin  
William Schneider  
Stephen West

### **Public Works**

Beulah Coughenour, Chairman  
Linda Beadling  
Rozelle Boyd  
Gordon Gilmer  
Monroe Gray, Jr.  
Phillip Hinkle  
Paul Jones  
Mary Moriarty Adams  
Stuart Rhodes

### **Rules and Public Policy**

Carlton Curry, Chairman  
Philip Borst  
Rozelle Boyd  
William Dowden  
W. Tobin McClamroch  
Beurt SerVaas  
Frank Short

## CALENDAR OF SESSIONS OF THE CITY-COUNTY COUNCIL

January 10, 1994	May 09, 1994	September 12, 1994
January 31, 1994	May 23, 1994	September 28, 1994
February 14, 1994	June 13, 1994	October 17, 1994
February 28, 1994	June 27, 1994	November 01, 1994
March 21, 1994	July 11, 1994	November 14, 1994
April 11, 1994	August 08, 1994	November 28, 1994
April 25, 1994	August 22, 1994	December 12, 1994

### CITY OFFICIALS

Deputy Mayor	Joseph Loftus
Deputy Mayor	Nancy Silvers
Office of Controller	James H. Steele, Jr.
Purchasing Division	Andrea Gregg
Office of Corporation Counsel	Sue Beesley
Office of Youth and Family Services	Joseph Wynns
Cable Communications Agency	Jayne Gerdeman
Internal Audit	Michael Humphreys
Department of Administration	Joseph Loftus
Department of Capital Asset Management	Greg Henneke
Department of Metropolitan Development	Elaine Bedel
Department of Parks and Recreation	Leon Younger
Department of Public Works	Michael Stayton
Department of Public Safety	Michael E. Beaver

### MARION COUNTY OFFICIALS

Clerk of the Circuit Court	Faye I. Mowery
Community Corrections	Julie von Arx
Cooperative Extension Service	Ned Kalb
Court Administrator Agency	Stephen Engelking
County Assessor	Bernard J. Gohmann, Jr.
County Auditor	John von Arx
County Commissioner	Bernard J. Gohmann, Jr.
County Commissioner	John von Arx
County Commissioner	Mary A. Buckler
County Coroner	Karl Manders, M.D.
County Election Board	Faye Mowery
County Prosecutor	Jeffrey Modisett
County Recorder	Joan Romeril
County Surveyor	Jack A. Irwin, L.S.
County Treasurer	Mary A. Buckler
County Sheriff	Joseph G. McAtee
Forensic Services Agency	James Hamby
Information Services Agency	Mike Hineline
Marion County Children's Guardian Home	Paul Browne
Marion County Healthcare Center	Kenneth Adkins
Marion County Justice Agency	Michael Beaver
Marion County Public Defender Agency	Frances Watson Hardy
Voters Registration	Janet E. Richhart

## TOWNSHIP ASSESSORS

Center Township Assessor .....	James P. Maley, Jr.
Decatur Township Assessor .....	Charles L. Coleman
Franklin Township Assessor .....	Clara L. Druen
Lawrence Township Assessor .....	Jack Graves
Perry Township Assessor .....	Mary K. Gillum
Pike Township Assessor .....	Marilyn M. Smith
Warren Township Assessor .....	Allen L. Durnil
Washington Township Assessor .....	Richard L. Cunningham
Wayne Township Assessor .....	Charles R. Spears

## COURTS

Marion County Circuit Court .....	John M. Ryan
Marion County Drug Court .....	Jay Haggerty
Municipal Court, Presiding Judge .....	Taylor Baker, Jr.
Superior Court, Criminal, 1 .....	Paula E. Lopossa
Superior Court, Criminal, 2 .....	Webster L. Brewer
Superior Court, Criminal, 3 .....	John R. Barney, Jr.
Superior Court, Criminal, 4 .....	Patricia J. Gifford
Superior Court, Criminal, 5 .....	Gary L. Miller
Superior Court, Criminal, 6 .....	Carr Darden
Superior Court, Criminal Probation .....	George Walker
Superior Court, Juvenile Division .....	James W. Payne
Superior Court, Probate Division .....	Charles J. Deiter
Superior Court, Civil, 1 .....	Anthony J. Metz III
Superior Court, Civil, 2 .....	Kenneth H. Johnson
Superior Court, Civil, 3 .....	Patrick L. McCarty
Superior Court, Civil, 4 .....	Cynthia J. Ayers
Superior Court, Civil, 5 .....	David Rimstidt
Superior Court, Civil, 6 .....	John F. Hanley
Superior Court, Civil, 7 .....	Gerald S. Zore
Superior Court, Title IV-D Court .....	Barbara A. Collins



## MEMBERS OF OFFICIAL BOARDS

### **City-County Administrative Board**

John von Arx  
James H. Steele, Jr.  
Joseph Loftus

### **License Review Board**

Bradley Skolnik, Chairman  
Cindy Beeman  
Kris Butler

### **Metropolitan Development Commission**

Walter Niemczura, President  
Michael Rodman  
James J. Curtis, Sr.  
Jack Hall  
Mary Anne Mills  
Mel Seitz  
Steven J. Schaefer  
Randolph L. Snyder

### **Board of Zoning Appeals, Division I**

Alan Retherford  
Carol Joseph  
Joseph Perkins  
Joanna Walker

### **Board of Zoning Appeals, Division II**

Diane Liptack, Chairman  
Barbara Evans  
Michael B. Murphy  
Isaac Randolph

### **Board of Zoning Appeals, Division III**

Robert Lugar  
Mary Jane Klepek  
Timothy Sexton  
Robert Stewart

### **Indianapolis Historic Preservation Commission**

George W. Geib, President  
William Browne, Jr.  
John R. Cox  
Lori Efroymsen  
Carol Joseph  
Robert LaRue  
Amy MacDonell  
Wayne Patrick  
Ann E. Scheele  
Josephine Weathers-Rogers

### **Air Pollution Control Board**

Robert S. Daly, Chairman  
Dwight Boyd  
David W. Hoppock  
Bernard Paul  
Ingrid Ritchie  
Brice Tressler  
R. Bruce Wallace  
Edward Williams

### **Board of Public Works**

Mike Stayton, Chairman  
Tony Buford  
Tamara Hall  
Holley Holmes  
Kenneth Hughes

### **Police Merit Board**

Alan R. Kimbell, President  
Edwin T. French, Jr.  
Barbara Gerstner  
Violet Gwin  
Brad King  
Mark Mertz  
Lerona J. Mitchell  
Jeff Oberlies

### **Fire Merit Board**

Patricia L. Chastain, President  
Ronald L. Cummings

### **Board of Public Safety**

Michael Beaver, President  
Lisa Decker  
Richard Dickinson  
Rudolph Hightower  
Elliott Nelson

### **Board of Parks and Recreation**

Leon Younger, Chairman  
Diana Wilson Hall  
Charles E. Kendall  
Sally Lanham  
Max L. Siegel

### **Transportation Board**

E. Mitchell Roob, Jr., Chairman  
Holley Holmes  
Howard Howe  
Joe-Rene Hunter  
Walter Niemczura

## **History of the Common Council of the City of Indianapolis**

Indianapolis was established as a town in 1821. It was at this time that a commission, appointed by the legislature, selected this location as a site for a seat of government of the State of Indiana.

The town of Indianapolis conducted its affairs pursuant to the general laws of the state until 1832. In this year the town was incorporated and was governed by a board of five trustees.

In 1838, pursuant to a special act of the legislature, Indianapolis was reincorporated and placed in the hands of its first town council composed of a president and six members.

The Common Council continued in a large measure to control the affairs of Indianapolis as a town and as a city under various so-called charters or grants of the legislature until 1891.

Under a special act of the legislature of 1891 for the city of Indianapolis, a somewhat different form of government was established. While the council continued to exercise broad control over the city's affairs, various executive departments of the city were provided such as Public Works, Public Safety, Public Parks and Public Health, and were conducted by boards appointed by the mayor. These boards were granted specific powers and duties concerning the city's business previously exercised by the council through committees subject, however, in some cases to approval of the council in all matters of expenditure of money and appropriation of funds by the council.

For some time prior to 1891 the city of Indianapolis was divided into 25 wards represented by 25 ward councilmen. Their term of office was two years and they were eligible for re-election. At this time there was also a separate body operating in conjunction with the council called the Board of Aldermen, composed of ten aldermen representing five aldermanic districts, two being elected from each district.

Under the 1891 act, the Board of Aldermen was abolished and a common council of 21 members was established. Fifteen members were elected to represent 15 wards and six members were elected to represent the city at large.

This form of council continued to exist in Indianapolis under the general cities and towns act of 1905. The act of 1905, while often referred to as the Indianapolis Charter, is very largely a re-enactment of the 1891 Indianapolis Charter, modified to make the Indianapolis system applicable to all classes of cities of the state. The 1905 law increased the term of mayor and councilman to four years and prohibited re-election.

In 1909 a novel councilmanic law for Indianapolis alone was passed by the legislature. That law limited the number of councilmen to nine. The law provided for the nomination of six candidates by each party, one from each of six councilmanic districts. In the election all of the voters of the city could vote for any nine candidates and the nine receiving the highest number of votes were elected. This law insured a minority representation in the council of at least three members. In 1949 the legislature amended the statutes to permit councilmen to succeed themselves.

## **History of the City-County Council of the City of Indianapolis**

In 1969 the legislature enacted a law, popularly known as the "Unigov Act," which consolidated the city and county into one governmental unit. The act further provided for the creation of an interim City-County Council which served as the legislative body for the city and county until the new twenty-nine member council was elected in November 1971 and took office in January of 1972.

The council is composed of twenty-five members elected from single member districts and four members elected to at-large by voters of the entire county.

Unified Government of Indianapolis-Marion County is an attempt to make metropolitan government simpler, more functional and more responsive to citizens' needs. Under the new structure, six major departments replaced the more than sixty which were in existence previously.



# EXECUTIVE HEADS OF THE CITY OF INDIANAPOLIS UNDER VARIOUS FORMS OF ORGANIZATION

## PRESIDENTS OF BOARDS OF TRUSTEES

Henderson, Samuel	October 12, 1832 to September 30, 1833
Edgar, James (resigned as Trustee)	September 30 to December 9, 1833
Blythe, Benjamin I.	March 7, 1834 to February 14, 1835
Morrison, Alexander F.	February 14 to October 2, 1835
Palmer, Nathan B.	October 2, 1835 to April 13, 1836
Lockerbie, George	April 13, 1836 to April 4, 1837
Soule, Joshua	April 3, 1837 to April 2, 1838

## PRESIDENTS OF TOWN COUNCIL

Morrison, James	1838 to 1839
Palmer, Nathan B.	1839 to 1840
Coburn, Henry P.	1840 to 1841
Sullivan, William (resigned November 12, 1841)	1841
Culley, David V.	1841 to 1844; 1850 to 1853
Wilson, Lazarus B.	1844 to 1845
Levy, Joseph A.	1845 to 1847
Rooker, Samuel S. (resigned November 1, 1847)	1847
Cady, Charles W.	1847 to 1848

## MAYORS

Henderson, Samuel	1847 to 1849
Newcomb, Horatio C. (resigned November 7, 1851)	1849 to 1851
Scudder, Caleb	1851 to 1854
McCreedy, James	1854 to 1856
West, Henry F. (died November 8, 1856)	1856
Coulon, Charles (to fill vacancy until November 22, 1856)	1856
Wallace, William John (resigned May 3, 1858)	1856 to 1858
Maxwell, Samuel D.	1858 to 1863
Caven, John	1863 to 1867; 1875 to 1881
Macauley, Daniel	1867 to 1873
Mitchell, James L.	1873 to 1875
Grubbs, Daniel W.	1881 to 1884
McMaster, John L.	1884 to 1886
Denny, Caleb S.	1886 to 1890
Sullivan, Thomas L.	January 1, 1890 to October 12, 1893
Denny, Caleb S.	October 12, 1893 to 1895
Taggart, Thomas	October 10, 1895 to 1901
Bookwalter, Charles A.	October 10, 1901 to 1903
Holtzman, John W.	October 15, 1903 to 1905
Bookwalter, Charles A.	1905 to 1909
Shank, Samuel Lewis (resigned November 28, 1913)	1910 to 1913
Wallace, Harry R.	1913
Bell, Joseph E.	1914 to 1917
Jewett, Charles W.	1918 to 1921
Shank, Samuel Lewis	1922 to 1925
Duvall, John L. (disqualified September 22, 1927)	1926 to 1927



Slack, L. Ert	1927 to 1929
Sullivan, Reginald H.	1930 to 1934
Kern, John W. (resigned September 2, 1937)	1935 to 1937
Boetcher, Walter C.	1937 to 1938
Sullivan Reginald H.	1939 to 1942
Tyndall, Robert H. (died July 9, 1947)	1943 to 1947
Denny, George L.	1947
Feeney, Al G. (died November 12, 1950)	1948 to 1950
Bayt, Phillip L. (resigned November 24, 1951)	1950 to 1951
Emhardt, Christian J.	1951
Clark, Alex M.	1952 to 1956
Bayt, Phillip L. (resigned December 31, 1958)	1956 to 1958
Boswell, Charles H. (resigned August 6, 1962)	1959 to 1962
Losche, Albert H.	1962 to 1963
Barton, John J.	1964 to 1968
Lugar, Richard G.	1968 to 1975
Hudnut, William H. III	1976 to 1991
Goldsmith, Stephen	1992

## TABLE OF CONTENTS

1. Regular Session Journals . . . . .	1
2. Proposal Index . . . . .	1085
3. General Ordinance Index . . . . .	1176
4. Fiscal Ordinance Index . . . . .	1198
5. Special Ordinance Index . . . . .	1219
6. General Resolution Index . . . . .	1221
7. Council Resolution Index . . . . .	1222
8. Special Resolution Index . . . . .	1231
9. Rezoning Ordinance Index . . . . .	1244
10. Police Special Service District Council Index . . . . .	1265
11. Fire Special Service District Council Index . . . . .	1266
12. Solid Waste Special Service District Council Index . . . . .	1267





**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, JANUARY 10, 1994**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:09 p.m. on Monday, January 10, 1994, with Councillor SerVaas presiding.

Councillor Rhodes introduced Rev. Tom Stoll, rector at St. Paul's Episcopal Church, who led the opening prayer. Councillor Rhodes invited all present to join him in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*29 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

A quorum of twenty-nine members being present, the President called the meeting to order.

**ORGANIZATION OF COUNCIL**

**Selection of Temporary Presiding Officer**

The President asked for consent for Robert G. Elrod, Parliamentarian, to act as the temporary chairman of the meeting. Consent was given. The President passed the gavel to Mr. Elrod.

**Election of Officers**

Mr. Elrod opened the floor for nominations for President of the Council. Councillor Giffin nominated Councillor SerVaas for President. Councillor Gilmer seconded the nomination.

Councillor Short moved, seconded by Councillor Giffin, to close nominations. Nominations were closed by unanimous voice vote, thereby electing Councillor SerVaas as President.

Mr. Elrod opened the floor for nominations for Vice President. Councillor Giffin nominated Councillor McClamroch for Vice President. Councillor Short moved, seconded by Councillor Beadling, to close nominations. Nominations were closed by unanimous voice vote, thereby electing Councillor McClamroch as Vice President.

### **Certification of Caucus Leaders**

Mr. Elrod stated that he has certifications that Councillor McClamroch has been selected as leader of the Republican Caucus and Councillor Boyd has been selected as leader of the Democrat Caucus.

Mr. Elrod returned the gavel to President SerVaas.

### **INTRODUCTION OF GUESTS AND VISITORS**

Councillor Beadling wished Beverly Rippy, Clerk of the City-County Council, a happy birthday. Councillor Curry introduced Holley Holmes, Dwight Cottingham, and Alan Kimbell, former councillors; and John Ryan and James Morris, former deputy mayors.

### **OFFICIAL COMMUNICATIONS**

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, January 10, 1994, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Beurt SerVaas  
Beurt SerVaas, President  
City-County Council

December 27, 1993

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Wednesday, December 29, 1994, a copy of NOTICE TO TAXPAYERS of a

*January 10, 1994*

Public Hearing on Proposal No. 686, 1993, to be held on Monday, January 10, 1994, at 7:00 p.m., in the City-County Building.

Respectfully,  
s/Beverly S. Rippy  
Beverly S. Rippy, City Clerk

December 27, 1993

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Wednesday, December 29, 1993, a copy of LEGAL NOTICE on General Ordinance No. 157, 1993.

Respectfully,  
s/Beverly S. Rippy  
Beverly S. Rippy, City Clerk

December 27, 1993

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Wednesday, December 29, 1993, a copy of LEGAL NOTICE on General Ordinance Nos. 164 and 165, 1993.

Respectfully,  
s/Beverly S. Rippy  
Beverly S. Rippy, City Clerk

December 14, 1993

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Beverly S. Rippy, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 110, 1993 - transferring and appropriating \$24,900 for the Marion County Public Defender Agency to pay public defender salaries for the Marion County Drug Court

FISCAL ORDINANCE NO. 111, 1993 - authorizing tax anticipation borrowing for the City during the period from January 1, 1994 through December 31, 1994

FISCAL ORDINANCE NO. 112, 1993 - authorizing tax anticipation borrowing for the County General Fund and the Welfare General Fund during the period from January 1, 1994 through December 31, 1994

GENERAL ORDINANCE NO. 163, 1993 - amending the Revised Code dealing with the organization of the Departments of Public Works and Transportation

GENERAL ORDINANCE NO. 164, 1993 - creating a Court Violations Bureau administrative fee and fund

GENERAL ORDINANCE NO. 165, 1993 - revising the enforcement procedures for civil zoning violations in order to comply with state statute, by making certain violations subject to admission and payment through the Ordinance Violations Bureau, in lieu of citations with increasing fine amounts



GENERAL ORDINANCE NO. 166, 1993 - amending the Code by authorizing the county to contract with the sheriff for salary compensation in lieu of collection fees and by repealing Sec. 2-21 of the Code

SPECIAL ORDINANCE NO. 15, 1993 - approving the issuance of City of Indianapolis, Indiana Adjustable Rate Economic Development Revenue Refunding Bonds, Series 1993 (Calderon Development Company Project) in an aggregate principal amount not to exceed \$1,250,000

SPECIAL ORDINANCE NO. 16, 1993 - approving the issuance of City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1993A (The Meadows Section 8 Assisted Project) in the aggregate principal amount not to exceed \$3,900,000 and City of Indianapolis, Indiana Taxable Economic Development Revenue Bonds, Series 1993B (The Meadows Section 8 Assisted Project), in the aggregate principal amount not to exceed \$100,000

SPECIAL ORDINANCE NO. 17, 1993 - authorizing the amendment of documents relating to the previously issued \$8,100,000 City of Indianapolis, Indiana Economic Development Revenue Bond (Webb/Henne Indianapolis Venture I Project) dated as of December 1, 1985

SPECIAL ORDINANCE NO. 18, 1993 - authorizing the amendment of documents relating to the previously issued \$4,350,000 City of Indianapolis, Indiana Economic Development Revenue Bonds, Series A (Monument Circle Associates Project) dated as of April 1, 1985

SPECIAL ORDINANCE NO. 19, 1993 authorizing the issuance and sale to the Indianapolis Local Public Improvement Bond Bank of the Park District Note, for the purpose of procuring funds to refund a certain obligation of the Park District in an amount not to exceed \$3,500,000 (Brookville/Senour Economic Development Area)

SPECIAL RESOLUTION NO. 87, 1993 - recognizing the 1993 state football champion Roncalli High School Rebels

SPECIAL RESOLUTION NO. 88, 1993 - recognizing the service of Robert A. O'Neal

SPECIAL RESOLUTION NO. 89, 1993 - recognizing Rupert Daily's 48 years of service to the City of Indianapolis

SPECIAL RESOLUTION NO. 90, 1993 - extending condolences to the family and friends of LaShunda Davis and seeking to create meaning to an otherwise senseless act of shooting violence

SPECIAL RESOLUTION NO. 91, 1993 - commending the Indianapolis Police Department for their quick action in the LaShunda Davis killing, commending citizens for their role, and encouraging all citizens to "tell" when their communities are being threatened or damaged

SPECIAL RESOLUTION NO. 92, 1993 - authorizing the lease of space for the Family Advocacy Center located at 233 McCrea Street

SPECIAL RESOLUTION NO. 93, 1993 - amending S.R. 72, 1990, as amended, by extending the expiration date on the Inducement Resolution for Homeward Partners, Inc. through February 28, 1994

SPECIAL RESOLUTION NO. 94, 1993 - amending S.R. 84, 1990, as amended, by extending the expiration date on the Inducement Resolution for Meadows Revival, Inc. through June 30, 1994

SPECIAL RESOLUTION NO. 95, 1993 - amending S.R. 39, 1992, as amended, by extending the expiration date on the Inducement Resolution for Herff Jones, Inc. through June 30, 1994

Respectfully,  
s/Stephen Goldsmith  
Stephen Goldsmith

## **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.



## APPROVAL OF JOURNALS

President SerVaas called for additions or corrections to the Journal of December 13, 1993. There being no additions or corrections, the minutes were approved as distributed.

## PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 6, 1994. This proposal, sponsored by Councillor Giffin, recognizes Steven Rink, Decatur Township Trustee. Councillor Giffin read the resolution and presented a copy of the document to Mr. Rink, who expressed appreciation for the recognition. Also present were Mr. Rink's wife and Warren Township Fire Chief Dale Henson. Councillor Giffin moved, seconded by Councillor Hinkle, for adoption. Proposal No. 6, 1994 was adopted by unanimous voice vote.

Proposal No. 6, 1994 was retitled SPECIAL RESOLUTION NO. 1, 1994 and reads as follows:

### CITY-COUNTY SPECIAL RESOLUTION NO. 1, 1994

A SPECIAL RESOLUTION recognizing Decatur Township Trustee Steven C. Rink.

WHEREAS, the morning of December 8, 1993, began about the same as other mornings in the Decatur Township Trustee's Office; and

WHEREAS, about 9:30 Trustee Steven C. Rink looked outside the township government center window and saw that across the street a house was on fire and a man without his shirt and shoes was shouting for help; and

WHEREAS, Rink, a former Decatur Township volunteer fireman, hurried across the street, entered the burning house crawling low on the floor like he was trained, and at risk to his own life rescued a four-year-old child and then returned back into the dense smoke to pull out an unconscious adult; and

WHEREAS, even though not everyone in the house was saved from the tragic fire, two people are alive thanks solely to the training and courage of Steven C. Rink; now, therefore:

### BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and applauds Decatur Township Trustee Steven C. Rink for his courage and skill in rescuing two people from a burning house.

SECTION 2. Mr. Rink does not consider himself a "hero" for his rescue -- but his courageous action that December morning reflects the highest credit upon the training he received while he was with the Decatur Township Volunteer Fire Department, and the highest credit upon himself.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 7, 1994. This proposal, sponsored by Councillors Williams and Boyd, concerns the privatization of the Advanced Wastewater Treatment (AWT) plant. Councillor Williams said that there has been much discussion since the Board of Public Works entered into a contract with the White River Environmental Partnership (WREP) to be the private management company to operate the AWT plant. In her opinion, the Board of Public Works

moved forward on this matter too quickly. This is the biggest deal of this administration and probably one of the biggest privatization deals in the country.

Councillor Williams stated that she was unaware until this meeting that Councillor Curry introduced a proposal concerning the privatization of AWT as well. Both resolutions propose setting a date for a public hearing. Proposal No. 7, 1994 has the Committee of the Whole conducting the public hearing and Proposal No. 21, 1994 has the Public Works Committee conducting the hearing. Her concern is that whichever the forum that there be full disclosure and that it be televised at a time when the average person can sit down and watch it.

Councillor Boyd said that Proposal No. 7, 1994 is a very honest and sincere effort to obtain all the information so that there are no misconceptions in the community about this privatization effort.

Councillor Moriarty said that she is not opposed to a public hearing either before the Public Works Committee or before the Committee of the Whole. She asked what activity in Section 1 of this resolution should be suspended since the Board of Public Works has already approved the contract with WREP.

Councillor Boyd answered that when Proposal No. 7, 1994 was drafted the activity had not occurred. There has been significant activity and consummation of agreements since the time this proposal was drafted.

Councillor Moriarty moved to amend Proposal No. 7, 1994 by deleting Section 1. This motion was seconded by Councillor Short.

Councillor Coughenour said she is concerned with Sections 3 and 4. She believes it would be superfluous to have the Council's fiscal analyst prepare an economic analysis since the Public Works Department and the Public Works Committee have already gone through all this work. She said that the Public Works Committee is planning to hold a televised public hearing on January 27, 1994 at 5:30 p.m concerning the privatization of the AWT plants. Her real objection to Proposal No. 7, 1994 is that it would delay the process too long.

Councillor Giffin asked for consent to abstain from voting on Proposal Nos. 7 and 21, 1994 due to a conflict of interest. Consent was given.

Councillor Williams said before any vote is taken she would consider a friendly amendment to delete everything in Proposal No. 7, 1994 except Section 2.

Councillor Coughenour said she would like to hear Councillor Curry's proposal before any vote is taken.

The President said that since Councillor Williams' proposal is before the Council at this time he would ask if she would like to bring it to a vote assuming that Sections 1, 3 and 4 will be deleted, leaving Section 2.

Councillor Williams said that she would yield to Councillor Curry for his comments.



PROPOSAL NO. 21, 1994. The proposal, sponsored by Councillor Curry, provides procedures for hearings on transition of operation of AWT plant.

Councillor Curry stated that since the contract has already been executed between the City and WREP there is a need to (1) clear up questions that have been raised in public forums, and (2) provide a mechanism whereby the Council will be periodically updated on the progress on the privatization of the operation of AWT. He believes that it is important to point out that certain members of the Council were on a review committee concerning this matter, that confidentiality agreements were executed which limited some information that could be passed, and that a hearing at this point is right and proper.

Councillor Williams stated that if Councillor Curry would be willing to delete everything except Section 2 in Proposal No. 21, 1994, she would be willing to withdraw her proposal in support of his. Councillor Boyd said that he agrees with Councillor Williams' decision to withdraw Proposal No. 7, 1994.

Councillor Curry said that Councillor Williams' request is reasonable.

Councillor Williams said that with that commitment and with Councillor Boyd's consent, she moved to withdraw Proposal No. 7, 1994. Councillor Boyd seconded that motion. Proposal No. 7, 1994 was withdrawn by unanimous voice vote.

Councillor Curry moved to delete all the "Whereas" paragraphs and Section 1 and to renumber Section 2 as Section 1 in Proposal No. 21, 1994. Councillor Moriarty seconded the motion.

Councillor Short suggested that since this is such an important issue, he would like to see the President in conjunction with the chairperson of the Public Works Committee set up the public hearing with the same rules as set forth for a rezoning hearing. The President said that could be done.

Councillor Rhodes said that Channel 16 has phone-in capabilities. He said that he would check to see if a portion of the public hearing could be set aside for phone-in questions.

Councillor Jimison moved the question.

Councillor Curry's motion passed by unanimous voice vote.

Councillor Curry moved, seconded by Councillor Moriarty, for adoption. Proposal No. 21, 1994, as amended, was adopted by unanimous voice vote.

Councillor Gray said that he would like for this to set a precedent for the privatization of government entities. The taxpayer should be more involved from the beginning. He believes the privatization of the AWT plants was handled very poorly.

Proposal No. 21, 1994 was retitled SPECIAL RESOLUTION NO. 2, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 2, 1994

A SPECIAL RESOLUTION providing procedures for hearings on transition of operation of AWT plant.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Council directs the Administration to periodically update the Council. The Public Works Committee on January 27, 1994 at 5:30 p.m. in the Public Assembly Room shall hold a full public hearing to provide the Council with all relevant information concerning the implementation of the contract and answer any question which may arise as to the implementation of the transition of the operation of the Advanced Wastewater Treatment facilities from the City to WREP.

PROPOSAL NOS. 702, 703, 712 and 713, 1993. The President ruled that these four Council appointments would be voted on together. PROPOSAL NO. 702, 1993. The proposal reappoints Ray Battey to the City-County Administrative Board. PROPOSAL NO. 703, 1993. The proposal reappoints Ruby Miller to the City-County Administrative Board. PROPOSAL NO. 712, 1993. The proposal reappoints Tony A. Buford to the Board of Public Works. PROPOSAL NO. 713, 1993. The proposal appoints Holley Holmes to the Board of Public Works. Proposal Nos. 702, 703, 712 and 713, 1993 were adopted by a unanimous voice vote.

Proposal No. 702, 1993 was retitled COUNCIL RESOLUTION NO. 1, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 1, 1994

A COUNCIL RESOLUTION reappointing Ray Battey to the City-County Administrative Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the City-County Administrative Board, the Council appoints:

Ray Battey

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 703, 1993 was retitled COUNCIL RESOLUTION NO. 2, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 2, 1994

A COUNCIL RESOLUTION reappointing Ruby Miller to the City-County Administrative Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the City-County Administrative Board, the Council appoints:

Ruby Miller

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 712, 1993 was retitled COUNCIL RESOLUTION NO. 3, 1994 and reads as follows:



*January 10, 1994*

CITY-COUNTY COUNCIL RESOLUTION NO. 3, 1994

A COUNCIL RESOLUTION reappointing Tony A. Buford to the Board of Public Works.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Public Works, the Council appoints:

Tony A. Buford

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 713, 1993 was retitled COUNCIL RESOLUTION NO. 4, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 4, 1994

A COUNCIL RESOLUTION appointing Holley Holmes to the Board of Public Works.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Public Works, the Council appoints:

Holley Holmes

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 1, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Revised Code by delegating to the Indianapolis Fleet Services division the authority to establish administrative fees charged to non-City entities that use the services of the division"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 2, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving a public purpose grant in the amount of \$25,000 to Central Indiana Radio Reading, Inc."; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 3, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Revised Code concerning the continuation of sewer user fees"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 4, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code concerning sick time conversion for Advanced Wastewater Treatment plant employees"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 5, 1994. Introduced by Councillor Short. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE limiting the number of special resolutions that may be introduced"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 20, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION amending Council Resolution No. 19, 1991 to correct the expiration date of the term of William B. Powers as a member of the Citizens Police Complaint Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 8, 1994. Introduced by Councillor Borst. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on January 6, 1994." The Council did not schedule Proposal No. 8, 1994 for hearing pursuant to IC 36-7-4-608. Proposal No. 8, 1994 was retitled REZONING ORDINANCE NO. 1, 1994 and is identified as follows:

REZONING ORDINANCE NO. 1, 1994. 93-Z-21 LAWRENCE TOWNSHIP.  
COUNCILMANIC DISTRICT # 04.  
6706 EAST 82ND STREET (approximate address), INDIANAPOLIS.  
RALLY'S INC., by Philip A. Nicely, requests the rezoning of 0.44 acre, being in the C-3 and C-4 District, to the C-4 classification to provide for a restaurant with outdoor seating.

PROPOSAL NO. 9, 1994. Introduced by Councillor Borst. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on January 6, 1994." The Council did not schedule Proposal No. 9, 1994 for hearing pursuant to IC 36-7-4-608. Proposal No. 9, 1994 was retitled REZONING ORDINANCE NO. 2, 1994 and is identified as follows:

REZONING ORDINANCE NO. 2, 1994. 93-Z-161 (Amended) WARREN TOWNSHIP.  
COUNCILMANIC DISTRICT # 13.  
701 SOUTH MITTHOEFER ROAD (approximate address), INDIANAPOLIS.  
ROY PROCK, by Philip A. Nicely, requests the rezoning of 53.9 acres, being in the D-A District, to the D-2 classification to provide for a residential subdivision.

PROPOSAL NOS. 10-14, 1994. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on January 6, 1994."

Councillor Golc made the following motion:

Mr. President:

I move that Proposal No. 10, 1994 (Rezoning Petition No. 93-Z-95 (Amended)) be scheduled for a hearing before this Council at its next regular meeting on January 31, 1994 at 7:00 p.m. and that the Clerk read the announcement of such hearing and enter same in the minutes of this meeting.

Councillor Jones seconded the motion and it passed by unanimous voice vote. Proposal No. 10, 1994 is identified as follows:



January 10, 1994

93-Z-95 (Amended) WAYNE TOWNSHIP. COUNCILMANIC DISTRICT # 17.  
2221-2249 WEST MINNESOTA STREET (approximate address), INDIANAPOLIS.  
WILSON WATER AND SEWER SERVICE, INC. and DOUGHERTY INDUSTRIES, INC., by Jeff Scripture, request the rezoning of 1.2 acres, being in the D-5 District, to the I-3-U classification to provide for the continued operation of a contractor's business and machine tool shop.

The Council did not schedule Proposal Nos. 11-14, 1994 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 11-14, 1994 were retitled REZONING ORDINANCE NOS. 3-6, 1994 and are identified as follows:

REZONING ORDINANCE NO. 3, 1994. 93-Z-165 WARREN TOWNSHIP.  
COUNCILMANIC DISTRICT # 13.  
1702 SOUTH FRANKLIN ROAD (approximate address), INDIANAPOLIS.  
SOUTHEASTERN PROPERTIES, INC, by Thomas Michael Quinn, requests the rezoning of 6 acres, being in the SU-1 District, to the D-4 classification to provide for single-family residential development.

REZONING ORDINANCE NO. 4, 1994. 93-Z-177 (Amended) WASHINGTON TOWNSHIP.  
COUNCILMANIC DISTRICT # 7.  
2502 EAST 46TH STREET (approximate address), INDIANAPOLIS.  
WESTEL-INDIANAPOLIS COMPANY, d/b/a CELLULAR ONE OF INDIANAPOLIS, by James Buddenbaum, requests the rezoning of 1.38 acres, being in the D-5 District, to the C-3 classification to provide for commercial uses.

REZONING ORDINANCE NO. 5, 1994. 93-Z-180 PERRY TOWNSHIP.  
COUNCILMANIC DISTRICT # 25.  
8015 BLUFF ROAD (approximate address), INDIANAPOLIS.  
INDIANAPOLIS DEPARTMENT OF PARKS AND RECREATION requests the rezoning of 30.28 acres, being in the D-A District, to the PK-1 classification to provide for development of a public park.

REZONING ORDINANCE NO. 6, 1994. 93-Z-181 PERRY TOWNSHIP.  
COUNCILMANIC DISTRICT # 24.  
1201 BYLAND DRIVE (approximate address), BEECH GROVE.  
JOHN R. and CAPPIE DRUBIN HAMMOND, by Mitch Sever, request the rezoning of 19.26 acres, being in the D-A District, to the D-3 classification to provide for single-family residential development.

PROPOSAL NOS. 15-19, 1994. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on January 6, 1994." The Council did not schedule Proposal Nos. 15-19, 1994 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 15-19, 1994 were retitled REZONING ORDINANCE NOS. 7-11, 1994 and are identified as follows:

REZONING ORDINANCE NO. 7, 1994. 93-Z-98 WASHINGTON TOWNSHIP.  
COUNCILMANIC DISTRICT # 3.  
1101 EAST 96TH STREET (approximate address), INDIANAPOLIS.  
GLENN and JUDITH GUNNELL, by James W. Beatty, requests the rezoning of 3.685 acres, being in the D-A District, to the D-7 classification to provide for multi-family residential development.

REZONING ORDINANCE NO. 8, 1994. 93-Z-113 WASHINGTON TOWNSHIP.  
COUNCILMANIC DISTRICT # 3.  
4625 EAST 82ND STREET (approximate address), INDIANAPOLIS.  
C & N RECREATION requests the rezoning of 5.84 acres, being in the D-A District, to the C-1 classification to provide for commercial office development.

REZONING ORDINANCE NO. 9, 1994. 93-Z-167 PERRY TOWNSHIP.  
COUNCILMANIC DISTRICT # 25.  
8221 MORGANTOWN ROAD (approximate address), INDIANAPOLIS.  
DALE HUBBARD, by William F. LeMond, requests the rezoning of 0.95 acre, being in the D-A District, to the C-S classification to provide for a hardware store and electrical contracting use.

REZONING ORDINANCE NO. 10, 1994. 93-Z-183 WARREN TOWNSHIP.  
COUNCILMANIC DISTRICT # 12.

9515 SHORELAND LANE (approximate address), INDIANAPOLIS.

MARINA APARTMENTS, L.P., by James B. Burroughs, requests the rezoning of 1.10 acres, being in the D-A District, to the D-6 classification to conform zoning to its use as a multi-family residential development.

REZONING ORDINANCE NO. 11, 1994. 93-Z-184 FRANKLIN TOWNSHIP.  
COUNCILMANIC DISTRICT # 23.

7633 SOUTHEASTERN AVENUE (approximate address), INDIANAPOLIS.

RONNIE R. and KATHERYN L. ANDERSON request the rezoning of 11.48 acres, being in the C-3 District, to the C-7 classification to provide for outside display and sale of mini-barns, statuary, and similar items and to provide for a swimming pool service operation.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 686, 1993. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 686, 1993 on January 5, 1994. The proposal appropriates \$67,375 for the Prosecuting Attorney to cover the salary of the Executive Director of the Family Advocacy Center funded by a state grant. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:01 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Moriarty, for adoption. Proposal No. 686, 1993 was adopted on the following roll call vote; viz:

*18 YEAS: Beadling, Black, Boyd, Dowden, Giffin, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Smith, West*

*4 NAYS: Curry, Gray, Schneider, Shambaugh*

*7 NOT VOTING: Borst, Brents, Coughenour, Franklin, Gilmer, Short, Williams*

Proposal No. 686, 1993 was retitled FISCAL ORDINANCE NO. 1, 1994 and reads as follows:

#### **CITY-COUNTY FISCAL ORDINANCE NO. 1, 1994**

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Sixty-seven Thousand Three Hundred Seventy-five Dollars (\$67,375) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

#### **BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (x) and (b) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to pay salary and fringe benefits for the Executive Director of the Family Advocacy Center.

SECTION 2. The sum of Sixty-seven Thousand Three Hundred Seventy-five Dollars (\$67,375) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

PROSECUTING ATTORNEY  
1. Personal Services

STATE AND FEDERAL GRANTS FUND  
\$55,000



January 10, 1994

COUNTY AUDITOR

1. Personal Services (fringes)  
TOTAL INCREASE

12,375  
\$67,375

SECTION 4. The said additional appropriations are funded by the following reductions:

STATE AND FEDERAL GRANTS FUND

Unappropriated and Unencumbered  
State and Federal Grants Fund  
TOTAL REDUCTION

\$67,375  
\$67,375

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 644, 1993. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 644, 1993 on December 13, 1993 and January 5, 1994. The proposal amends Chapter 8½ of the Code concerning the franchising of private cable television systems. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Rhodes moved, seconded by Councillor Short, for adoption. Proposal No. 644, 1993, as amended, was adopted on the following roll call vote; viz:

*23 YEAS: Beadling, Black, Boyd, Brents, Curry, Dowden, Giffin, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

*0 NAYS:*

*6 NOT VOTING: Borst, Coughenour, Franklin, Golc, Moriarty, Williams*

Proposal No. 644, 1993, as amended, was retitled GENERAL ORDINANCE NO. 1, 1994 and reads as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 1, 1994**

A GENERAL ORDINANCE amending Chapter 8½ of the Code of Indianapolis and of Marion County, Indiana, and adding a new Division 3 in Article II providing for the franchising of private cable television systems.

WHEREAS, Chapter 8½ of the Code of Indianapolis and Marion County ("Code") provides for the franchising and regulation of cable television systems within the City of Indianapolis; and

WHEREAS, under Section 8½-2(g)(B) of the Code, the term "cable television system" or "cable system" is defined to exclude a facility that serves only subscribers in one or more multiple-unit dwellings under common ownership, control, or management, unless such facility or facilities use any public right-of-way; and

WHEREAS, based upon the foregoing definition, a limited cable television system, consisting of a facility serving subscribers in one or more multiple-unit dwellings under common ownership, control, or management which uses any public rights-of-way or a facility serving subscribers in one or more multiple-unit dwellings not under common ownership, control or management, qualifies as a "cable television system" or "cable system"; and

WHEREAS, under the provisions of the Cable Communications Policy Act of 1984, and the Cable Television Consumer Protection and Competition Act of 1992 (collectively, "the Act"), a cable operator may not operate a cable television system without a franchise; and

WHEREAS, the Act makes provision for the granting of additional competitive franchises within a community; and

WHEREAS, limited cable television systems as described above are subject to the franchising requirements of the Act, but, because of the limited size and the nature of such systems, including but not limited to, the

particular market segment served by such systems, the Council deems that such systems need not be subject to the full breadth of the franchising process contained in Chapter 8½ of the Code, which is applicable to other cable television systems that are designed and intended to provide service to a broad range of subscribers within the entire city or a substantial portion of the city; and

WHEREAS, the franchising of limited cable television systems (as defined in this ordinance) will serve the public interest by providing competition in the cable television marketplace within the City and subjecting limited cable systems to local regulation; and

WHEREAS, the City-County Council finds that such limited cable television systems (as defined in this ordinance) should be subject to a franchising procedure which permits the construction, operation and maintenance of such systems upon the submission of an application therefor and payment of an application fee, and that such systems be subject to certain other regulations contained in Chapter 8½ and as set forth in this ordinance; now, therefore,

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Secs. 8½-1 and 8½-2 be and are hereby amended by deleting the stricken-through text and adding the underlined text to read as follows:

Sec. 8½-1. Statutory authority; findings.

(a) ~~Because the operation of a cable television system requires the permission of the city to use the public ways,~~ The council determines that it is proper and expedient to franchise such cable television systems.

(b) The council hereby finds that it is in the interest of the city that the public ways be used to make cable television available to the people of the city. It is intended that the provisions of this chapter should facilitate and encourage orderly and responsible development of a system which will provide the people of the city with cable television services which is are versatile, reliable and efficient, which is are responsive to the needs and interests of the community; and which provides the widest possible diversity of information sources and services to the public. The provisions of this chapter shall be construed liberally to further these purposes.

(c) The council hereby finds that under applicable law the franchising of cable television systems within the city may include general franchises to serve the general population of the city and special franchises to provide limited cable service within multiple-unit dwellings; that the market segments served by operators under general or special franchises differ and that the nature of a cable system under a limited franchise and the services provided thereunder are determined in part by the terms of contractual arrangements between the limited cable operator and the owner or manager of such multiple-unit dwellings. The council recognizes that the differences between general cable systems and limited cable systems are such that the procedures for granting franchises, the regulations imposed on such systems, and the required levels of services applied to a limited cable system may differ appropriately from those applied to other cable systems.

Sec. 8½-2. Definitions.

As used in this chapter:

- (a) The term "the Act" means the Cable Communications Policy Act of 1984, as amended by the Cable Television Consumer Protection and Competition Act of 1992, an amendment to the Communications Act of 1934 (47 U.S.C. Section 521 et seq.) as the same may be amended or supplemented from time to time;
- (b) The term "affiliate," when used in relation to any person, means another person who owns or controls, is owned or controlled by, or is under common ownership or control with, such person;
- (c) The term "board" means the cable franchise board of the city, created by section ~~8½-138~~ 285-111 of the Revised Code of the Consolidated City and County;
- (d) The term "cable channel" or "channel" means a portion of the electromagnetic frequency spectrum which is used in a cable system and which is capable of delivering a television channel (as television channel is defined by the Federal Communications Commission by regulation);



- (fe) The term "cable service" means the one-way transmission to subscribers of (i) video programming, or (ii) other programming service, and subscriber interaction, if any, which is required for the selection of such video programming or other programming service;
- (gf) The term "cable television system," "cable system" or "system" means a facility, consisting of a set of closed transmission paths and associated signal generation, reception and control equipment that is designed to provide cable service which includes video programming and which is provided to multiple subscribers within the city, but such term does not include (A) a facility that serves only to retransmit the television signals of one or more television broadcast stations; (B) a facility that serves only subscribers in one or more multiple-unit dwellings under common ownership, control, or management, unless such facility or facilities use any public right-of-way; (C) a facility of a common carrier which is subject, in whole or in part, to the provisions of Title II of the Communication Act of 1934, as amended except that such facility shall be considered a cable system (other than for purposes of Section 621(c) of the Act (47 U.S.C. Section 541(c)) to the extent such facility is used in the transmission of video programming directly to subscribers; or (D) any facilities of any electric utility used solely for operating its electric utility systems;
- (qg) The term "city" means the Consolidated City of Indianapolis, Marion County, Indiana, a municipal corporation of the State of Indiana;
- (ph) The term "clerk of the council" ~~of~~ or "clerk" means clerk of the city-county council;
- (hi) The term "franchise" means an initial authorization, or renewal thereof (including a renewal of an authorization which has been granted subject to Section 626 of the Act (427 U.S.C. Section 546)), issued by the city whether such authorization is designated as a franchise, permit, license, resolution, contract, certificate, agreement, or otherwise, which authorizes the construction and operation of a cable system;
- (ej) The term "gross accrued revenues" means any and all revenues derived from the cable television operations of grantee under the franchise granted by the city as those terms are defined therein and as reflected in the financial statements of grantee, but specifically excluding (1) any and all taxes or fees on services furnished by the grantee imposed directly on any subscriber or user by any city, county, state or other governmental unit, and collected by the grantee for such entity, (2) any and all interest income from any source attributed to such cable television operations, (3) any and all income derived by grantee from the sale and transfer of cable television assets, and (4) any and all amounts of bad debts from such cable television operations that are written off by grantee;
- (k) The term "landlord restricted cable services" means cable television services provided to multiple dwelling units pursuant to a private cable service contract with the owner or manager.
- (sl) The term "limited cable television system" or "limited cable system" means a facility, consisting of a set of closed transmission paths and associated signal generation, reception, and control equipment, serviced from a principal headend including any other headends or microwave receive sites that are technically integrated to the system's principal headend, that is designed to provide cable service which includes, but is not limited to, video programming and which is provided to multiple subscribers within the city but only to subscribers (A) in one or more multiple-unit dwellings under common ownership, control, or management, where such facility or facilities use any public right-of-way or (B) in one or more multiple-unit dwellings not under common ownership, control, or management;
- (m) The term "manager" means the owner or any other person authorized by the owner of a multiple-unit dwelling to contract for private cable services to such multiple-unit dwelling;
- (en) The term "operator" or "cable operator" means any person or group of persons (A) who provides cable service over a cable system and directly or through one or more affiliates owns a significant interest in such cable system, or (B) who otherwise controls or is responsible for, through any arrangement, the management and operation of such a cable system and who has been granted a franchise by the city or by any predecessor, governmental officer or organization authorized to grant a franchise.
- (io) The term "other programming service" means information that a cable operator makes available to all subscribers generally;
- (jp) The term "person" means an individual, partnership, association, joint stock company, trust, corporation, or governmental entity;

- (~~eq~~) The term "private cable service contract" means a contract or agreement between the operator of a limited cable system, including an applicant, for landlord restricted cable services, and the owner or manager of a multiple-unit dwelling complex, which authorizes such operator to provide a limited cable television service to occupants of such multiple-unit dwelling complex.
- (~~kr~~) The term "public, educational, or governmental access facilities" means (A) channel capacity designated for public, educational, or governmental use; and (B) facilities and equipment for the use of such channel capacity;
- (~~ls~~) The term "public way" means the surface and the area above and below the surface of any public street, highway, lane, alley, sidewalk path, right-of-way or easement, and any public utility easement or right-of-way dedicated generally for public utility uses;
- (~~t~~) The term "separate limited cable service area" means the area containing one or more multiple-unit dwellings under the same common ownership which is included in the geographic area of a special cable franchise granted under this Chapter;
- (~~u~~) The term "special cable franchise" means a franchise to operate a limited cable television system.
- (~~tv~~) The term "special cable operator" has the same meaning as "operator" under this section, except that the term applies solely to a limited private cable system.
- (~~ww~~) The term "subscriber" means any person who contracts or agrees to purchase the regular subscriber service, pay television, or any other service provided by ~~the~~ a cable system, and includes anyone actually using such service;
- (~~x~~) The term "video programming" means programming provided by, or generally considered comparable to programming provided by, a television broadcast station;

SECTION 2. Chapter 8½ of the Code of Indianapolis and Marion County be and is hereby amended by adding new Secs. 8½-5 and 8½-6 to read as follows:

Sec. 8½-5. Franchise required.

No person shall operate a cable television system within the city without having first obtained a franchise from the city. Provided that any limited cable television system which is in operation on the effective date of this ordinance and for which application for a special cable franchise is made within ninety (90) days following such effective date may continue to operate such limited cable system, subject to the regulatory authority of the board, until a final decision has been rendered upon the application.

Sec. 8½-6. Franchise's not exclusive.

(a) The granting of a cable franchise shall not grant the operator any rights to exclude any other franchised operator from providing services within the geographic areas included in the cable franchise.

(b) Any agreement between the operator and the owner which restricts other franchised operators from providing services to the occupants of those units may be enforced only to the extent valid from time to time under applicable law. To the extent that such agreements may, at any time, become unenforceable under applicable law which applies to all franchise holders, the operator under a franchise shall take no action to enforce such exclusive rights.

(c) To the extent that payments are made to the owner or manager of a multiple dwelling unit for exclusive rights to provide cable services within a multiple dwelling unit, such payments shall not be deemed a cost of providing service for purposes of establishing rates to be charged to consumers of the cable television services.

SECTION 3. Chapter 8½ of the Code of Indianapolis and Marion County be and is hereby amended by adding a new Division 3 to Article II to read as follows:

DIVISION 3 - SPECIAL CABLE FRANCHISES

Section 8½-41. Procedure for granting special cable franchises.



(a) Any person interested in operating only a limited cable system providing landlord restricted cable services, may in lieu of the procedures in Sec. 8½-21, apply for a special cable franchise by complying with this section.

(b) Any person interested in obtaining one or more special cable television franchises may apply to the board. The board shall prescribe the form of such application which shall require:

- (1) a diagram map showing the geographic area or areas for which the franchise is requested, and describing such areas with sufficient particularity as to enable a reasonable determination of the boundaries of such area and the proposed location of the facilities of the limited cable system;
- (2) evidence that the applicant is either currently operating a limited cable system or has the financial, legal and technical qualifications to construct, operate and maintain a limited cable television system;
- (3) evidence that the owner or manager of each multiple-unit dwelling to be served by the limited cable system has agreed to receive such service, which evidence may consist of a certification from such owner or manager certifying to the existence of a private cable service contract between such owner or manager and the applicant, a description of the property and stating the expiration date of the term of such private cable service contract;
- (4) descriptions of the cable services to be provided subscribers, of any other services or uses of the system, and of the rate structure to be charged for such services upon the grant of the franchise;
- (5) a designation of channel capacity for public, educational and governmental access, proposing either (i) interconnection with an operator currently franchised by the city or (ii) the facilities and capacity (which may consist of playback equipment) for providing subscribers with public, educational and governmental access programming substantially equivalent to that provided by other franchises; and
- (6) an application fee of either three thousand dollars (\$3,000) if the applicant is not a current franchisee or one thousand five hundred dollars (\$1,500) if the applicant is a current holder of a special cable franchise.

(c) An applicant for a special cable franchise may include in the application and a single franchise may be granted for more than one limited cable system in more than one geographic area within the city.

(d) Upon the submission of the application and the application fee, the board shall publish notice of and hold a public hearing on the application within sixty (60) days of the receipt thereof. At the conclusion of the public hearing (which may be continued beyond the sixty (60) days with consent of the applicant), the board shall recommend to the city-county council to grant the special cable franchise if the following is established:

- (1) the applicant has the financial, legal and technical qualifications to operate the special cable system, provided that if at the time of its application, applicant is providing limited cable television service in all or part of the geographic area or areas to which its application applies such facts shall be evidence of such qualification;
- (2) the grant of the special cable franchise will not have a material adverse effect on the economic ability of any other operator to fulfill any franchise obligation to assure that access to cable service is not denied to any group of potential residential cable subscribers because of the income of the residents of the local area in which such group resides;
- (3) the proposed facilities to be constructed under the franchise will not substantially and unreasonably interfere with current or planned uses of the public ways; and
- (4) the application complies with the requirements of subsection (b).

(e) In the event one or more of the requirements set forth in subsection (d) is not established, the board shall advise the city-county council that the application is denied. The applicant may within ten (10) days of such decision request the council committee to review such decision.

(f) The board shall include in its recommendation written findings of fact on the requirements specified in subsection (d), and if its recommendation is to grant a franchise, a proposed franchise agreement which is consistent with the terms of the application and the requirements of this chapter. Such findings and proposed franchise agreement shall be approved by the board no later than the next monthly meeting of the board

following the public hearing. The time for taking such action may be extended by the board with the consent of the applicant.

(g) The board's recommendation to grant a special cable franchise shall be filed with the clerk and referred to the council committee responsible for cable franchising. At its first regularly scheduled meeting held more than ten (10) days following the receipt of such recommendation the committee shall determine whether it would be in the public interest to recommend the issuance of the special cable franchise, and cause to be introduced to the council an ordinance or resolution which would confirm such determination and approve a franchise agreement.

(h) A final decision denying an application is subject to appeal in the same manner as the denial of a franchise under the Act.

**Sec. 8½-42. Form and nature of franchise.**

Upon council approval of the granting of a special cable franchise, the board shall execute a special cable franchise agreement in a form authorized by ordinance of the council. A special cable franchise shall constitute a non-exclusive authority to operate a limited cable television system within a designated area or areas, the same as any franchise as defined in Section 8½-2, for the period of time specified in the franchise, but not to exceed ten (10) years.

**Sec. 8½-43. Applicability of other provisions.**

A franchised special cable operator that provides only landlord restricted services shall be subject to the regulations and requirements of Sec. 8½-44 but only the following provisions of Articles III through VII of this Chapter 8½, provided that any reference therein to a franchise contract shall be deemed to include a special cable franchise:

- (a) Secs. 8½-51 through 8½-54 of Article III;
- (b) Secs. 8½-61, 8½-63, 8½-65 and 8½-66 of Article IV;
- (c) Secs. 8½-83 through 8½-87 and 8½-89 of Article V;
- (d) Secs. 8½-101 through 8½-104 of Article VI; and
- (e) Secs. 8½-111 and 8½-112 of Article VII.

**Sec. 8½-44. Additional provisions.**

(a) The franchisee shall pay to the city a franchise fee equal to five percent (5%) of the special cable operator's gross revenues derived from the operation of the limited cable system, computed at the end of each calendar year and paid quarterly. Gross revenues shall include the gross revenues of any affiliate or contract manager who receives revenues derived from the operation of the system.

(b) A special cable operator shall be required to observe all customer service standards required under the Act.

(c) All rates for limited cable service shall, to the extent permitted by applicable regulations pertaining to rates, be uniform among subscribers who receive the same service. Notwithstanding the foregoing, a special cable operator may provide different levels of service at different areas included in a franchise, if permitted by the franchise agreement.

(d) A special cable operator shall comply with all applicable provisions of the Act.

(e) All limited cable television systems shall provide public, educational and governmental access channels, in a manner that achieves substantially uniform access to such programming by all cable subscribers in the city. Unless otherwise agreed in the franchise agreement, a limited cable system shall interconnect with existing cable systems having a franchise which includes each separate limited service area if such franchisee is required to provide such programming by interconnection to other franchised cable systems. The special cable operator shall be responsible for all costs of interconnection, shall pay the operator of the connected system the per subscriber charges, if any, charged its subscribers for public, educational and governmental



access programming, and to the extent that the city requires financial contributions from the cable operator, under agreements made or renewed after January 1, 1994, to provide facilities, support or programming of public, educational or governmental access, special cable operators shall contribute proportionally based on the average contribution per subscriber of all other operators in accordance with rules and regulations adopted by the board.

(f) To the extent applicable, a special cable operator shall provide institutional network availability within the areas included in the franchise.

Sec. 8½-45. Further expansion of franchise area.

If the operator of a limited cable system,

- (i) enters into a private cable service agreement with the owner or manager to provide landlord restricted cable services to multiple dwelling units that are not in its special cable franchise area, and
- (ii) the operator proposes to serve those units by interconnection with the operator's franchised system, and
- (iii) the number of dwelling units in the franchise area after the expansion will not exceed fifteen thousand dwelling units,

the area included within the special cable system franchise may be expanded to include additional areas as follows:

(a) The special cable operator shall file with the executive secretary of the cable franchise board (director of telecommunications) an application requesting such expansion, which shall include the description of the geographic area to be added and a certification of the owner or manager as to the existence of a private cable service contract or a letter of intent to enter into a private cable service contract, subject to the approval of the expansion.

(b) The application shall, at the time of its filing, be served by certified mail on the department of the city where rights of way would be affected and on any operator holding a cable television franchise for an area which includes the area to be added to the limited cable system ("incumbent operator"). The application shall be accompanied by a certificate of service certifying that such service has been made.

(c) The application shall be deemed approved and the area included in the special cable franchise shall be expanded to include the additional area if no written objection thereto is delivered to the cable franchise board by either a department of the city or the incumbent operator within fifteen (15) days of the service of such application.

(d) In the event an objection is made to the application, the board shall automatically schedule the application for hearing at its next regular meeting, or may, in its discretion, schedule a special meeting to hear the same.

(e) At the conclusion of the hearing the board shall approve the application and the special cable franchise shall be deemed thereafter to apply to the additional area unless:

- (1) the city establishes that the grant of the expansion of the territory will substantially and unreasonably interfere with existing uses of the public ways; or
- (2) the incumbent operator establishes by clear and convincing evidence that the grant of the expansion of the territory will serve to lessen competition for the provision of cable services within the county or will materially adversely affect the economic ability of the incumbent operator to fulfill its franchise obligation to assure that access to cable service is not denied to any group of potential residential cable subscribers because of the income of the residents of the local area in which such group resides.

Neither of the foregoing conditions will be deemed to exist solely because the territory which is sought to be added to the special cable franchise is currently served by the incumbent operator.

(f) The denial of application shall be subject to appeal to the same extent permitted by the Act for denials of a franchise.

Sec. 8½-46. Term of special cable franchise.

(a) A special cable franchise granted under this Chapter shall expire upon the date stated in the franchise agreement, subject to the renewal provisions of the Act and this Chapter.

(b) The geographic area of a special cable franchise shall be the separate limited cable service areas described in the franchise agreement including expansions approved under Sec. 8 1/2 - 45; provided, that ninety (90) days after a private cable service contract to serve a separate limited cable service area expires by its terms or is terminated, such area shall no longer be included in the geographic area of such franchise. Provided, however, if the termination of such private cable service contract is the result of foreclosure, bankruptcy or insolvency of the owner or manager of the multiple-unit dwellings served under such private cable service contract and such dwellings are being managed under judicial supervision, said ninety (90) day period shall be tolled until such dwellings are transferred to a new owner or manager. At any time prior to the end of such ninety (90) day period, if the operator files with the board a certification by the owner or manager that the private cable service contract has been renewed or extended, specifying the new termination date, the separate limited service area shall remain within the franchise area.

Sec. 8½-47. Revocation of special cable franchise.

A special cable franchise may be revoked by the board only in the event of default under the franchise agreement or the special cable operator is not in compliance with applicable federal, state or local laws with respect to the operation of the limited cable television system, and only following notice and a hearing thereon.

SECTION 4. This ordinance shall take effect upon compliance with IC 36-3-4-14.

PROPOSAL NO. 682, 1993. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 682, 1993 on January 5, 1994. The proposal creates the Revenue Enhancement Division of the Office of the City Controller. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 682, 1993 was adopted on the following roll call vote; viz:

*25 YEAS: Beadling, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

*1 NAY: Black*

*3 NOT VOTING: Borst, Jones, Williams*

Proposal No. 682, 1993 was retitled GENERAL ORDINANCE NO. 2, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 2, 1994

A GENERAL ORDINANCE amending Article III of Chapter 202 of the Revised Code by adding a new section 202-205, creating the Revenue Enhancement Division of the Office of the City Controller.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Article III of Chapter 202 of the "Revised Code of the Consolidated City and County" be, and is hereby amended to add a new Section 202-205 as follows:

Sec. 202-205. Revenue Enhancement Division.

The Office of the City Controller shall include a revenue enhancement division, the powers and duties of which shall include:



January 10, 1994

- (1) Act as the agent in collecting receivables of any nature for city departments or divisions or county offices. Any such department, division or office may, at its option, request the assistance of the revenue enhancement division in establishing collection procedures and in pursuing any outstanding receivables;
- (2) Establish such collection procedures as may be in the best interest of the city and the county;
- (3) Collect from debtors owing receivables to any department, division or office of the city or county, the cost of such collection activities, on behalf of the revenue enhancement division and such department, division or office, as allowed by law;
- (4) Contract with collection agencies and such other service providers as the controller deems appropriate to pursue the purposes of the division; and
- (5) Exercise any other powers which may be granted by statute or ordinance or delegated by the mayor.

SECTION 2. The express or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NO. 685, 1993. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 685, 1993 on January 5, 1994. The proposal authorizes the lease of office space by the Auditor's Office on behalf of Marion County for incarceration of prisoners. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Dowden moved that Proposal No. 685, 1993 be amended by renumbering Sections 3 and 4 as Sections 4 and 5 respectively and inserting a new Section 3 to read as follows:

SECTION 3. The City-County Council directs the Marion County Auditor to accept other proposals until February 1, 1994 and not to execute any letter of intent with any developer until any additional proposals submitted prior to that date have been considered.

This motion was seconded by Councillor Schneider and passed by unanimous voice vote.

Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 685, 1993, as amended, was adopted on the following roll call vote; viz:

24 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Gray, Jimison, Jones, Moriarty, Mullin, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

2 NAYS: Gilmer, Hinkle

3 NOT VOTING: McClamroch, O'Dell, Rhodes

Councillors McClamroch, Rhodes and O'Dell asked for consent to abstain from voting due to a conflict of interest. Consent was given.

Proposal No. 685, 1993 was retitled SPECIAL RESOLUTION NO. 3, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 3, 1994

A SPECIAL RESOLUTION authorizing lease of office space by the Marion County Auditor's Office on behalf of Marion County for incarceration of prisoners.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Office of the Marion County Auditor has submitted to the City-County Council a letter of proposal proposing the lease of space to be used for the incarceration of prisoners and related administration purposes, and identifying the owner(s) of the space which it proposes to lease as D & S Investments, 5212 Madison Avenue, Indianapolis, Indiana 46227.

SECTION 2. The City-County Council, pursuant to IC 36-1-10-7, has investigated the conditions requiring the need for space to house and administer the incarceration of prisoners, and hereby determines that the lease of space by the Office of the Marion County Auditor for Marion County is necessary.

SECTION 3. The City-County Council directs the Marion County Auditor to accept other proposals until February 1, 1994 and not to execute any letter of intent with any developer until any additional proposals submitted prior to that date have been considered.

SECTION 4. The Auditor is directed to submit the lease to the Council for approval prior to execution of the lease.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 696, 1993. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 696, 1993 on January 4, 1994. The proposal amends the Revised Code, approving uniform fees established by the IMAGIS Board on behalf of the Department of Public Works for inspection or copies of any portion of the IMAGIS Land Base Map and establishing a dedicated Electronic Map Generation Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Curry moved, seconded by Councillor Dowden, for adoption. Proposal No. 696, 1993, as amended, was adopted on the following roll call vote; viz:

*28 YEAS: Beadling, Black, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

*0 NAYS:*

*1 NOT VOTING: Borst*

The President asked that Councillor Curry distribute a report concerning the ultimate objectives of IMAGIS, when those objectives will be achieved, and how the City will benefit from the application of the IMAGIS procedures in the future.

Proposal No. 696, 1993 was retitled GENERAL ORDINANCE NO. 3, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 3, 1994

A GENERAL ORDINANCE amending the Revised Code, approving uniform fees established by the Indianapolis Mapping and Geographic Infrastructure System ("IMAGIS") Board on behalf of the Department



January 10, 1994

of Public Works for inspection or copies of any portion of the IMAGIS Land Base Map, and establishing a dedicated Electronic Map Generation Fund.

WHEREAS, the City of Indianapolis, by and through several of its departments, other governmental entities, the local university and four utilities serving the public in the Indianapolis area have implemented a computerized Automated Mapping/Facilities Management program to provide a geographic based information system for planning, engineering, utility and related public service activities, which project is called Indianapolis Mapping and Geographic Infrastructure System ("IMAGIS"); and

WHEREAS, IMAGIS is controlled by a consortium of entities acting pursuant to the IMAGIS Service Agreement, dated as of January 1, 1991, entered into by and between the Trustees of Indiana University, the Department of Metropolitan Development of the City of Indianapolis, Indiana, the Department of Capital Asset Management of the City of Indianapolis, Indiana, the Department of Public Works of the City of Indianapolis, Indiana, the County of Marion, Indiana, Indiana Bell Telephone Company, Incorporated, Indianapolis Power & Light Company, Indianapolis Water Company, the Board of Directors for Utilities of the Department of Public Utilities of the City of Indianapolis as Successor Trustee of a Public Charitable Trust, doing business as Citizens Gas & Coke Utility, and the Assessors for Pike, Washington, Lawrence, Wayne, Center, Warren, Franklin, Perry and Decatur Townships, as amended by Amendment Number One to the IMAGIS Service Agreement, dated December 11, 1991, entered into by and between the parties to the IMAGIS Service Agreement and Health and Hospital Corporation of Marion County, Indiana (the foregoing parties to the IMAGIS Service Agreement, as amended, shall be hereafter referred to as the "IMAGIS Participants"); and

WHEREAS, all activities related to the implementation of the IMAGIS Service Agreement, as amended, are under the management and control of the IMAGIS Board established by the IMAGIS Service Agreement, as amended; and

WHEREAS, pursuant to Articles 2.7.3.1 and 2.7.3.2 of the IMAGIS Services Agreement, as amended, the IMAGIS Board is authorized to adopt policies with respect to the use and sale of the "IMAGIS Land Base Map" and "Deliverables," as such terms are defined in the IMAGIS Services Agreement, by and to "Participants" in the IMAGIS Project, as well as members of the public; and

WHEREAS, the Department of Public Works of the City of Indianapolis ("DPW"), one of the Participants under the IMAGIS Service Agreement, is a "public agency" as defined in IC 5-14-3-2, and the owner of, and holder of the copyrights on, the IMAGIS Land Base Map; and

WHEREAS, the IMAGIS Board, pursuant to the IMAGIS Service Agreement, as amended, and IC 5-14-3-8(j), adopted IMAGIS Board Resolution No. 5-1993 establishing, on behalf of DPW, uniform fees for providing for the inspection or copying of all or a portion of the IMAGIS Land Base Map, which fees are based upon a reasonable percentage of IMAGIS' direct cost of maintaining, upgrading and enhancing the IMAGIS Land Base Map, in addition to the direct cost of IMAGIS of supplying all or a portion of the IMAGIS Land Base Map in the form requested by the purchaser ("Electronic Map Inspection or Copying Fees"); and

WHEREAS, IC 5-14-3-8(j) provides that the Electronic Map Inspection or Copying Fees set by the IMAGIS Board, on behalf of DPW, are subject to the approval of this Council; and

WHEREAS, pursuant to IC 5-14-3-8.5, this Council is required to establish a dedicated fund, with the purposes specified in IC 5-14-3-8.5(b), to be administered by DPW, and consisting of the Electronic Map Inspection and Copying Fees collected by the IMAGIS Board on behalf of DPW; now therefore:

BE IT ORDAINED BY THE CITY COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Revised Code of the Consolidated City and County, be and is hereby amended by adding a new Sec. 131-601 in Article VI of Chapter 131 to read as follows:

CHAPTER 131

ARTICLE VI - MISCELLANEOUS FEES

Sec. 131-601. The Electronic Map Inspection and Copying Fees, as established by IMAGIS Board Resolution No. 5-1993, a copy of which is attached hereto as Exhibit 1, are hereby approved. The fees for the inspection or copying of all or any portion of the IMAGIS Land Base Map by non-IMAGIS "Participants," as that term



is defined in the IMAGIS Services Agreement, shall consist of (a) an Electronic Map Maintenance Fee and (b) a Processing Fee as hereafter set forth.

- (a) Electronic Map Maintenance Fee. This portion of the Electronic Map Inspection or Copying Fees shall consist of a charge of \$0.04 per acre per layer of data inspected or copied. If the Electronic Map Maintenance Fee for any individual request would exceed the price of a single layer of data county-wide (327,000 acres), the person or entity making such request may request to become an "Associate Participant" pursuant to Article 2.7.4.2 of the Service Agreement and any applicable Resolutions adopted by the IMAGIS Board and in effect at the time. Pursuant to IC 5-14-3-8(k), the Electronic Map Maintenance Fee shall be waived if inspection or copying of the IMAGIS Land Base Map is for Noncommercial Purposes.
- (b) Processing Fee. This portion of the Electronic Map Inspection or Copying Fees shall include all direct costs of IMAGIS incurred in supplying the IMAGIS Land Base Map in the form requested by the purchaser, including, but not limited to, a fee of \$50.00 per plot where the information is provided in a hard-copy format, and a fee of \$50.00 per hour or any portion thereof devoted to processing the particular request where the information is provided in digital format.

Future changes in such Fees made by the IMAGIS Board in an amendment to IMAGIS Board Resolution No. 5-1993 shall be deemed approved by this Council so long as such Fees (a) are changed no more than one time annually, (b) are based on no greater than 100 percent of IMAGIS' estimated annual direct costs of maintaining, upgrading and enhancing the IMAGIS Land Base Map (in addition to the direct cost of supplying all or a portion of the IMAGIS Land Base Map in the form requested), (c) the Electronic Map Maintenance Fee does not increase by more than \$0.005 per acre per layer annually, and (d) the fee per plot when the information is provided in a hard-copy format and the fee per hour or any portion thereof devoted to processing the particular request when the information is provided in digital format do not increase by more than 10% annually.

SECTION 2. The Revised Code of the Consolidated City and County be and is hereby amended by adding a new Sec. 604 and 605 in Chapter 135 to read as follows:

Sec. 135-604. The IMAGIS Electronic Map Generation Fund is hereby established, which Fund shall consist of Electronic Map Inspection and Copying Fees collected by the IMAGIS Director on behalf of DPW. The Electronic Map Generation Fund shall be a dedicated fund administered by DPW with the following purposes:

- (a) The maintenance, upgrading and enhancement of the IMAGIS Land Base Map.
- (b) The reimbursement of expenses incurred by IMAGIS in supplying the IMAGIS Land Base Map or any portion thereof in the form requested.

Sec. 135-605. The expenses of administering the IMAGIS Electronic Map Generation Fund shall be paid from money in the Fund. DPW shall invest any money in the Fund not currently needed to meet the obligations of the Fund in the same manner as other public funds may be invested. Interest accruing from such investments shall be deposited in the Fund.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

#### EXHIBIT 1

#### IMAGIS BOARD RESOLUTION NO. 5-1993

#### A RESOLUTION ADOPTING UNIFORM FEES FOR PROVIDING FOR INSPECTION OR COPIES OF THE IMAGIS LAND BASE MAP TO NON-IMAGIS PARTICIPANTS

WHEREAS, pursuant to Articles 2.7.3.1 and 2.7.3.2 of the IMAGIS Services Agreement dated January 1, 1991, as amended ("IMAGIS Services Agreement"), the IMAGIS Board is authorized to adopt policies with respect to the use and sale of the "IMAGIS Land Base Map" and "Deliverables," as such terms are defined in the IMAGIS Services Agreement, by and to "Participants" in the IMAGIS Project, as well as members of the public; and

WHEREAS, the Department of Public Works of the City of Indiana ("DPW"), one of the Participants under the IMAGIS Service Agreement, is a "public agency" as defined in IC 5-14-3-2, and the owner of, and holder of the copyrights on, the IMAGIS Land Base Map; and

WHEREAS, IC 5-14-3-8(j) provides that a public agency, such as DPW, may charge a fee for providing for inspection or copies of an "Electronic Map," which term is defined as "copyrighted data provided by a public agency from an electronic geographic information system"; and

WHEREAS the IMAGIS Land Base Map is an "Electronic Map" as defined in IC 5-14-3-8(j); and

WHEREAS, IC 5-14-3-8(j) also provides that the fee for providing for inspection or copies of all or a portion of the IMAGIS Land Base Map may be comprised of (1) a fee, uniform to all purchasers, based upon a reasonable percentage of the direct cost of maintaining, upgrading and enhancing the IMAGIS Land Base Map ("Electronic Map Maintenance Fee"), and (2) the direct cost of supplying the IMAGIS Land Base Map, or portion thereof, in the form requested by the purchaser ("Processing Fee") (which fees are referred to collectively herein as the "Electronic Map Inspection or Copying Fees"); and

WHEREAS, pursuant to IC 5-14-3-8(j), the Electronic Map Inspection or Copying Fees established by the IMAGIS Board, on behalf of DPW, are subject to approval of the City County Council of the City of Indianapolis and Marion County ("City County Council"); and

WHEREAS, pursuant to IC 5-14-3-8(k), the Electronic Map Maintenance Fee shall be waived if inspection or copying of the IMAGIS Land Base Map will be used for the following noncommercial purposes: public agency program support; nonprofit activities; journalism; or academic research ("Noncommercial Purposes"); and

WHEREAS, the IMAGIS Board, on behalf of DPW, desires to establish Electronic Map Inspection or Copying Fees, subject to the approval of the City County Council, to ensure that the public purposes of IMAGIS will continue to be served, and that the private purposes or benefits of IMAGIS and the IMAGIS Land Base Map are not conferred to the detriment of IMAGIS' public purposes; and

WHEREAS, the IMAGIS Board believes that a uniform Electronic Map Maintenance Fee of \$0.04 for inspection and/or copying of each acre of each layer of the IMAGIS Land Base Map, which Fee is equal to the \$400,000 estimated annual cost of maintaining, upgrading and enhancing the IMAGIS Land Base Map divided by the current 9,318,000 total acre layers of the IMAGIS Land Base Map, is based upon a reasonable percentage of the cost of maintaining, upgrading and enhancing the IMAGIS Land Base Map; and

WHEREAS, the IMAGIS Board believes that a Processing Fee consisting of a plotting charge of \$50.00 per plot, a processing charge of \$50.00 per hour or any portion thereof and all other direct costs incurred by IMAGIS for supplying the IMAGIS Land Base Map for inspection or copying in the form requested by the purchaser, will cover the direct cost of supplying the IMAGIS Land Base Map in the form requested by the purchaser; and

WHEREAS, the IMAGIS Board desires to repeal its prior resolutions or portions thereof that may be in conflict herewith;

NOW, THEREFORE, BE IT RESOLVED that:

1. Electronic Map Inspection or Copying Fees. Subject to the approval of the City County Council, the fees for the inspection or copying of all or any portion of the IMAGIS Land Base Map by non-IMAGIS "Participants," as that term is defined in the IMAGIS Services Agreement, shall consist of (a) an Electronic Map Maintenance Fee and (b) a Processing Fee as hereafter set forth.

- (a) Electronic Map Maintenance Fee. This portion of the Electronic Map Inspection or Copying Fees shall consist of a charge of \$0.04 per acre per layer of data inspected or copied. If the Electronic Map Maintenance Fee for any individual request would exceed the price of a single layer of data county-wide (327,000 acres), the person or entity making such request may request to become an "Associate Participant" pursuant to Article 2.7.4.2 of the Service Agreement and any applicable Resolutions adopted by the IMAGIS Board and in effect at the time. The Board finds and determines that such Electronic Map Maintenance Fee is based upon a reasonable percentage of IMAGIS' direct cost of maintaining, upgrading and enhancing the IMAGIS Land Base Map. Pursuant to IC 5-14-3-8(k), the Electronic Map Maintenance Fee shall be waived if inspection or copying of the IMAGIS Land Base Map is for Noncommercial Purposes.



- (b) Processing Fee. This portion of the Electronic Map Inspection or Copying Fees shall include all direct costs of IMAGIS incurred in supplying the IMAGIS Land Base Map in the form requested by the purchaser, including, but not limited to, a fee of \$50.00 per plot where the information is provided in a hard-copy format, and a fee of \$50.00 per hour or any portion thereof devoted to processing the particular request where the information is provided in digital format.

2. IMAGIS Electronic Map Generation Fund. Following the approval of the foregoing Electronic Map Inspection or Copying Fees by the City County Council, such Fees shall be collected by the IMAGIS Director on behalf of DPW and deposited into the IMAGIS Electronic Map Generation Fund, to be established by the City County Council and administered by DPW pursuant to IC 5-14-3-8.5. The IMAGIS Electronic Map Generation Fund shall be a dedicated fund and the fees deposited therein shall be used only for (a) the maintenance, upgrading and enhancement of the IMAGIS Land Base Map and (b) the reimbursement of expenses incurred by IMAGIS in supplying all or a portion of the IMAGIS Land Base Map in the form requested by the purchaser.

3. Repeal of Prior Resolutions. IMAGIS Board Resolution No. 2-1991 adopted on August 13, 1991 and IMAGIS Board Resolution No. 2-1992 adopted on September 27, 1992 are repealed effective on the effective date of the Ordinance adopted by City-County Council of City of Indianapolis and Marion County approving the Electronic Map Inspection or Copying Fees set forth herein.

4. Copyright License. No person or entity shall be entitled to obtain a copy of the IMAGIS Land Base Map or any portion thereof for use for any purpose other than Noncommercial Purposes until such time as such person or entity has paid all applicable Electronic Map Inspection or Copying Fees and has entered into a copyright licensing agreement with DPW in the form attached hereto as Exhibit A. No person or entity shall be entitled to obtain a copy of the IMAGIS Land Base Map or any portion thereof for use for Noncommercial Purposes until such time as such person or entity has paid all applicable Processing Fees and has entered into a copyright licensing agreement with the DPW in the form attached hereto as Exhibit A.

ADOPTED this 21st day of December, 1993.

IMAGIS BOARD

By \_\_\_\_\_  
Chairman, IMAGIS Board

## **ANNOUNCEMENTS AND ADJOURNMENT**

Mr. Elrod read the following announcement:

This Council will hold a public hearing on Rezoning Petition No. 93-Z-95 (Amended), Council Proposal No. 10, 1994, at its next regular meeting on January 31, 1994, such meeting to convene at 7:00 p.m. in these Council Chambers in the City-County Building in Indianapolis. This petition proposes to rezone 1.2 acres at 2221-2249 West Minnesota Street from D-5 to I-3-U classification to provide for the continued operation of a contractor's business and machine tool shop.

Written objections that are filed with the Clerk of the Council shall be heard at such time, or the hearing may be continued from time to time as found necessary by the Council.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Marie Rita Irene (Marietta) Doyle and Julia Mae Payne. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:35 p.m.



January 10, 1994

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 10th day of January, 1994.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

*Beurt SerVaas*

President

*Barry J. Kipp*

Clerk of the Council

ATTEST:

(SEAL)



**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, JANUARY 31, 1994**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:05 p.m. on Monday, January 31, 1994, with Councillor SerVaas presiding.

Councillor Jimison introduced Brother Franklin Florence, II, Kingsley Terrace Church of Christ, who led the opening prayer. Councillor Jimison invited all present to join her in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*28 PRESENT: Beadling, Black, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
*1 ABSENT: Borst*

A quorum of twenty-eight members being present, the President called the meeting to order.

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Curry recognized former Councillor Ray Irwin.

**OFFICIAL COMMUNICATIONS**

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION  
SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY,  
INDIANA.



*Journal of the City-County Council*

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, January 31, 1994, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Beurt SerVaas  
Beurt SerVaas, President  
City-County Council

January 14, 1993

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, January 20, 1994, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal No. 10, 1994 to be held on Monday, January 31, 1994, at 7:00 p.m. in the City-County Building.

Respectfully,  
s/Beverly S. Rippy  
Beverly S. Rippy, City Clerk

January 14, 1993

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, January 20, 1994, a copy of NOTICE TO TAXPAYERS that the Public Works Committee would hold a Public Hearing on Proposal No. 3, 1994, concerning sewer user charges, said hearing to be held at 4:30 p.m. on Tuesday, February 1, 1994, in Room 260 of the City-County Building.

Respectfully,  
s/Beverly S. Rippy  
Beverly S. Rippy, City Clerk

January 11, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Beverly S. Rippy, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 1, 1994 - appropriating \$67,375 for the Prosecuting Attorney to cover the salary of the Executive Director of the Family Advocacy Center funded by a state grant

GENERAL ORDINANCE NO. 1, 1994 - amending Chapter 8½ of the Code concerning the franchising of private cable television systems

GENERAL ORDINANCE NO. 2, 1994 - creating the Revenue Enhancement Division of the Office of the City Controller

*January 31, 1994*

GENERAL ORDINANCE NO. 3, 1994 - amending the Revised Code, approving uniform fees established by the IMAGIS Board on behalf of the Department of Public Works for inspection or copies of any portion of the IMAGIS Land Base Map and establishing a dedicated Electronic Map Generation Fund

SPECIAL RESOLUTION NO. 1, 1994 - recognizing Steven Rink, Decatur Township Trustee

SPECIAL RESOLUTION NO. 3, 1994 - authorizing the lease of office space by the Auditor's Office on behalf of Marion County for incarceration of prisoners

Respectfully,  
s/Stephen Goldsmith  
Stephen Goldsmith

Councillor Rhodes introduced Ken Koby, Chairman of the Board of Directors of the Marion County Association of Retired Citizens, who presented Noble Center's Advocate Award to the Council. This award is conferred annually to a unit of government or other group which has benefitted developmentally disabled citizens.

Councillor McClamroch stated that Beverly Rippy resigned as Clerk of the Council effective January 21, 1994, and the President has appointed Robert G. Elrod, General Counsel, as the Acting Clerk of the Council effective January 24, 1994. He moved that the Council ratify the appointment of Robert G. Elrod as Acting Clerk of the Council to serve at the Council's pleasure until a new clerk is appointed as stated in the proposed resolution.

The President said that the Rules and Public Policy Committee is the Council's official body to consider applications for staff positions. There are two staff positions to be filled: the Clerk of the Council and Chief Financial Officer. He invited all members to send their suggestions for those two positions to Councillor Curry, Chairman of the Rules and Public Policy Committee; Councillor McClamroch, Majority Leader; or Councillor Boyd, Minority Leader.

Councillor Boyd said that in a memo he distributed to some of the Councillors he suggested some restructuring of the Clerk's office. He asked that this memo be distributed to all members of the Council. The President said that the Rules and Public Policy Committee will be considering Councillor Boyd's recommendations.

There being no objection, the President asked for consent to the resolution proposed by Councillor McClamroch. Councillor McClamroch's motion was passed by consent. It was retitled COUNCIL RESOLUTION NO. 5, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 5, 1994

WHEREAS, Beverly Rippy resigned as Clerk of the Council effective January 21, 1994; and

WHEREAS, the President of the Council appointed General Counsel Robert G. Elrod as Acting Clerk effective January 24, 1994; and

WHEREAS, the Council has not selected a new clerk; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Council ratifies the appointment by its President of its General Counsel as Acting Clerk, and hereby confirms the appointment of Robert G. Elrod as Acting Clerk to serve at its pleasure until a new clerk is appointed.

## **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

## **APPROVAL OF JOURNALS**

President SerVaas called for additions or corrections to the Journal of January 10, 1994. There being no additions or corrections, the minutes were approved as distributed.

## **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 29, 1994. This proposal, sponsored by Councillors Gilmer, SerVaas and O'Dell, recognizes Harry Feldman. Councillor Gilmer read the resolution and presented a copy of the document to Mr. Feldman, who expressed appreciation for the recognition. Greg Silvers, President of Friends of Eagle Creek Park, also voiced his gratitude and admiration for Mr. Feldman. Mr. Feldman's wife was also present as were several volunteers of the Park's Nature Center. Councillor Gilmer moved, seconded by Councillor O'Dell, for adoption. Proposal No. 29, 1994 was adopted by unanimous voice vote.

Proposal No. 29, 1994 was retitled SPECIAL RESOLUTION NO. 4, 1994 and reads as follows:

### **CITY-COUNTY SPECIAL RESOLUTION NO. 4, 1994**

A SPECIAL RESOLUTION recognizing Harry Feldman.

WHEREAS, Harry Feldman was the first Director of Indianapolis' Eagle Creek Park, and the first and only Director of the Park's Nature Center; and

WHEREAS, he is an Indianapolis native, a graduate of Arsenal Technical High School and Indiana University, a W.W. II veteran with the 94th Infantry Division and was Superintendent of Parks and Recreation at Port Huron, Michigan; and

WHEREAS, at Eagle Creek Park, Mr. Feldman implemented the original Master Plan, but made some quiet amendments by placing roads, shelter houses and even the beach to avoid significant groves of trees; and he introduced the Nature Center for the public to see, touch and learn about the many wonders of nature; and

WHEREAS, during his 23-year custody of the Nature Center, he and his legion of volunteers exposed thousands of citizens, Scouts, teachers and school children to natural science; and the Center has served as a hub of activity for nature workshops, orphaned animals, nature storytelling, birding and the mental and physical therapy which the Great Outdoors offers; and

WHEREAS, at the end of January "Uncle" Harry Feldman will retire, but that which he and his volunteers have built up over the past quarter century will continue to soothe, educate and inspire Indianapolis citizens for many generations to come; now, therefore:

### **BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Indianapolis City-County Council recognizes and thanks Mr. Harry Feldman for his 23 years of dedicated work at the city's Eagle Creek Nature Center.

SECTION 2. Indianapolis is extremely fortunate that the Lilly family amassed the land which is now Eagle Creek Park, for the foresight of the former Marion County Park Board for seizing the moment when that



*January 31, 1994*

property became available, and for those people -- like Harry Feldman -- who worked hard over the years to develop this plot of land into a wonderful urban park that is the envy of cities across America.

SECTION 3. The Council wishes Mr. Feldman and his wife Jane the best of health and happiness during his retirement years.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 30, 1994. This proposal, sponsored by Councillor Franklin, requests that the Albert Pike Monument be removed. The President referred this proposal to the Rules and Public Policy Committee.

PROPOSAL NOS. 663, 708, 709 and 714, 1993. The President ruled that these four board appointments would be voted on together. PROPOSAL NO. 663, 1993. The proposal appoints Lois Horth to the Public Housing Advisory Council. PROPOSAL NO. 708, 1993. The proposal reappoints Diana Wilson Hall to the Board of Parks and Recreation. PROPOSAL NO. 709, 1993. The proposal reappoints Charles E. Kendall to the Board of Parks and Recreation. PROPOSAL NO. 714, 1993. The proposal appoints Arno Haupt to the Board of Capital Asset Management. The President noted that these proposals passed out of their committees by unanimous votes. Proposal Nos. 663, and 714, 1993 were adopted by a unanimous voice vote and Proposal Nos. 708 and 709, 1993 were adopted by a majority voice vote.

Councillors Williams, Black, Jimison and Boyd stated that they wanted the record to show that they voted against Proposal Nos. 708 and 709, 1993.

Proposal No. 663, 1993 was retitled COUNCIL RESOLUTION NO. 6, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 6, 1994

A COUNCIL RESOLUTION appointing Lois Horth to the Public Housing Advisory Council.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Public Housing Advisory Council, the Council appoints:

Lois Horth

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 708, 1993 was retitled COUNCIL RESOLUTION NO. 7, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 7, 1994

A COUNCIL RESOLUTION reappointing Diana Wilson Hall to the Board of Parks and Recreation.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Parks and Recreation, the Council appoints:

Diana Wilson Hall

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 709, 1993 was retitled COUNCIL RESOLUTION NO. 8, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 8, 1994

A COUNCIL RESOLUTION reappointing Charles E. Kendall to the Board of Parks and Recreation.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Parks and Recreation, the Council appoints:

Charles E. Kendall

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 714, 1993 was retitled COUNCIL RESOLUTION NO. 9, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 9, 1994

A COUNCIL RESOLUTION appointing Arno Haupt to the Board of Capital Asset Management.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Capital Asset Management, the Council appoints:

Arno Haupt

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 22, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$3,059,900 for the Department of Administration, Indianapolis Fleet Services Division, to purchase replacement vehicles for its fleet"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 23, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$165,549 for Voters Registration to restore 1994 budget to election level by increasing Characters 01, 02, 03 and 04"; and the President referred it to the Administration and Finance Committee.



PROPOSAL NO. 24, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Urban I. Merl, Jr. to the Alcoholic Beverage Board of Marion County"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 25, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving the leasing of property within Eagle Creek Park by the Department of Parks and Recreation for the purpose of establishing a restaurant and marina facility"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 26, 1994. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$17,500 for the Superior Court, Criminal Division, Room Five, to fund an additional clerk's position"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 27, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION renewing the Community Corrections program for fiscal year 1994-1995 and approving the Community Corrections Advisory Board's grant application to the State"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 28, 1994. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Revised Code by revising the Council rules establishing committees"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 31, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending Chapter 8½ of the Code concerning cable television"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 32, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing James E. Sawyers to the Cable Franchise Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 33, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Mary Alice (Dubbie) Buckler to the Information Services Agency Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 34, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing John von Arx to the Information Services Agency Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 35, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Phillip Hinkle



to the Marion County Board of Tax Adjustment"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 36, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Mary Alice (Dubbie) Buckler to the Marion County Commission on Youth"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 37, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing J. Byron Jensen to the Marion County Commission on Youth"; and the President referred it to the Community Affairs Committee.

[Clerk's Note: Proposal No. 38, 1994 was withdrawn.]

PROPOSAL NO. 39, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Lelia Smith to the Marion County Commission on Youth"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 40, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing David R. Shirley to the Marion County Commission on Youth"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 41, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Mark DeFabis to the Indianapolis City-Market Corporation"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 42, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Sara Mitten Snyder to the Indianapolis City-Market Corporation"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 43, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Alan Retherford to the Metropolitan Board of Zoning Appeals Division I"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 44, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Joanna Walker to the Metropolitan Board of Zoning Appeals Division I"; and the President referred it to the Metropolitan Development Committee.

[Clerk's Note: Proposal No. 45, 1994 was withdrawn.]

PROPOSAL NO. 46, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Michael B. Murphy to the Metropolitan Board of Zoning Appeals Division II"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 47, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Mary Jane Klepek to the Metropolitan Board of Zoning Appeals Division III"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 48, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Ron Franklin to the Public Housing Advisory Council"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 49, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Michael McQuillen to the Public Housing Advisory Council"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 50, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Donald Palmer to the Urban Enterprise Association"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 51, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing David Stirsman to the Indianapolis Public Transportation Corporation Board"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 52, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing J. Lloyd Grannan to the Animal Control Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 53, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing William S. Gardiner to the Citizens Police Complaint Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 54, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing William B. Powers to the Citizens Police Complaint Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 55, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Larna Spearman to the Citizens Police Complaint Board"; and the President referred it to the Public Safety and Criminal Justice Committee.



PROPOSAL NO. 56, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Melanie A. Schlegelmilch to the Juvenile Detention Center Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 57, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Dennis Nicholas, M.D. to the Indianapolis-Marion County Forensic Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 58, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Rondel W. Brewer to the Marion County Community Corrections Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 59, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Susie Davie to the Marion County Community Corrections Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 60, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing D. Cleon Foust to the Marion County Community Corrections Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 61, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Patricia M. Nickell to the Marion County Community Corrections Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 62, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Susan Brooks to the Marion County Community Corrections Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 63, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Mary Stewart to the Marion County Community Corrections Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

Councillor Black noted that there were many proposals introduced concerning board appointments and asked how many of the nominees were Black Afro-Americans.

Councillor McClamroch said that he believes the Council has appointed a substantial percentage of Afro-Americans and other minorities to the boards. All board appointments' resumes are available in the Council Office for anyone to review. The President said that he believes that the Council members responsible for making appointments have attempted to



be as equitable as possible. It is very difficult at times to find persons who are willing to serve and who are qualified.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 10, 1994. This proposal is a rezoning ordinance for certain property in Wayne Township, located at 2221-2249 West Minnesota Street. The proposal requests the rezoning of 1.2 acres from a D-5 district to a I-3-U classification to provide for the continued operation of a contractor's business and machine tool shop. Proposal No. 10, 1994 was certified by the Metropolitan Development Commission on January 6, 1994. On January 10, 1994 Councillor Golc moved to schedule Proposal No. 10, 1994 for a public hearing on January 31, 1994. This motion passed by unanimous voice vote.

The President said that Robert Elrod, General Counsel, advised him that a preliminary conference was held with the petitioners and remonstrators on January 26, 1994 and there was no resolution of the matter at that time.

Councillor Golc stated that in a show of unity there are representatives from many westside and near southwestside neighborhood organizations. He introduced Gale Gelhausen, president, West Indianapolis Neighborhood Congress; Olgen Williams, president, Westside Cooperative Organization; Christine Lewis, vice president, Haughville Community Council; Harvey Knox, president, Stringtown Neighborhood Organization; Eric Lindley, president, Hawthorne Community Organization; and Jeff Gearhart, executive director, West Indianapolis Development Corporation. He said that the rezoning petition 93-Z-95 reflects a symptom of a larger problem which is the slow intrusion of industry in the near westside neighborhoods. For years the westside has peacefully co-existed with industry--Lilly's, Link-Belt, Chevy, Chrysler, General Electric, National Starch Company, Allison's, and other major trucking firms. This rezoning petition threatens to isolate the neighborhood and decrease the value of the neighborhood property. Councillor Golc urged the Councillors to vote "no" to the rezoning petition.

Jeffrey Scripture said that he is the attorney for the petitioners Wilson Water and Sewer Service, Inc. and Dougherty Industries, Inc. He introduced the owners Harold Wilson and Mike Dougherty. He said that both the Comprehensive Land Use Plan and the West Indianapolis/Harding Street Neighborhood Plan recommend an I-3-U classification for this property. The petitioners are simply requesting that the properties be rezoned consistent with those plans. The I-3-U zoning classification would give these businesses the flexibility to structure their facilities to best fit their needs. This zoning classification was suggested to these business owners by the Department of Metropolitan Development (DMD) staff. Mr. Scripture said that he believes the surrounding area is conducive to this rezoning. The DMD staff requires five commitments for this approval and both the petitioners agreed to these conditions.

Larry Whitham, attorney for the remonstrators, introduced Yvonne Singleton who is a long-time resident in the area.

Ms. Singleton said that she lives at 1704 South Pershing Avenue, directly across the street from the property in question. She stated that if this rezoning is approved it will greatly depreciate the property in the area and the surrounding homeowners take great pride in their

homes. She noted that trucks have been painted on the property and that batteries have been left outside. The businesses are an eyesore to the community.

Mr. Gelhausen said that the West Indianapolis Neighborhood Congress encompasses the area under discussion. The residents of this long-established neighborhood have fought hard to keep out and reduce industrial blight. He said that the neighborhood plan did not have wide support. He asked that the Councillors vote to oppose the petitioners' request to rezone.

Mr. Whitham said that the Council should consider the current conditions and character of the current structures and uses in the district. The current zoning for this property is D-5, residential use. It is against common planning principles to put heavy industry right next door to residential. Variances have been granted to both of these businesses with conditions, but the businesses have not honored the conditions.

Mr. Scripture said that Dougherty Industries is operating under a variance and Wilson Water is operating under a pre-existing use. The variance petition that was granted Dougherty Industries had a number of conditions. However, since the variance has been in existence this is the first time that Mr. Dougherty has been notified that any of those conditions have been violated. The petitioners request that the Council approve the Commission's rezoning of the property.

Mr. Whitham said that he finds it curious that the petitioner's attorney would suggest that this is the first that the petitioner heard about violations to his variance. In 1991 Mr. Dougherty petitioned the Metropolitan Board of Zoning Appeals to relieve him of certain variance conditions. The Board denied his request. The violations still exist. He asked the Council to vote "no" on this rezoning.

The President asked if there was anyone from the general public to comment on this case. The general public should not be a member of the remonstrators.

Sondra Leeds, 2120 West Minnesota, asked for permission to speak even though she did not fit "general public" description. Permission was granted. She said that she opposes the rezoning. She has invested over \$25,000 in her home in the last five years. Since these businesses did not take care of their problems in the past what assurance do the neighbors have that they will take care of problems in the future.

Councillors Short and Hinkle both remarked on the failure of the petitioners to comply with their variance conditions and said that they would find it hard to believe that they would honor any future commitments.

Councillor Smith stated that he believes there is a limit to what a neighborhood is expected to absorb and when that limit is approached it is up to the neighbors to decide what is best for them.

Councillor Curry asked if Wilson Water did a Phase I environmental test after it purchased the pre-existing non-conforming use property. Mr. Wilson answered in the negative. Councillor Curry asked which company did the painting of the vehicles. Mr. Scripture responded that the painting occurred on the Wilson property. Councillor Curry asked if it had



the proper permits to do that painting. Mr. Wilson answered in the negative. Councillor Curry said that he would find it difficult to believe that the Council would approve a rezoning petition for a company that is doing illegal work and where no environmental testing was conducted on a pre-existing land use.

Councillor Giffin said that he cannot comprehend how the DMD staff recommended approval on this petition. The DMD staff usually does a very good job and the system usually works but he believes this rezoning petition fell through the cracks. He asked that the Council deny this petition.

Councillor Boyd asked Councillor Golc if there had been efforts to come to some kind of agreement or compromise. Councillor Golc stated that he offered the petitioners help and support in obtaining a variance if they met certain conditions such as fencing, outside storage, clean up and some landscaping. The two businesses rejected his offer.

Councillor Jimison moved the question. The President said after Councillor Golc concludes his remarks he will call the question.

Councillor Golc stated that he believes the area can live peacefully with industry if industry is willing to work with the neighborhood in good faith. There is no animosity toward Wilson Water and Dougherty Industries. They are needed in the neighborhood. But, he said, they have to be willing to be good corporate citizens.

The President reminded the Councillors that to sustain the lower body will take 12 green votes; to reject the lower body will take 18 red votes. The Metropolitan Development Commission's decision was rejected and Proposal No. 10, 1994 failed by the following roll call vote; viz:

0 YEAS:

28 NAYS: *Beadling, Black, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

1 NOT PRESENT: *Borst*

### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 64, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on January 28, 1994." The Council did not schedule Proposal No. 64, 1994 for hearing pursuant to IC 36-7-4-608. Proposal No. 64, 1994 was retitled REZONING ORDINANCE NO. 12, 1994 and is identified as follows:

REZONING ORDINANCE NO. 12, 1994. 93-Z-174 (Amended) CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 22.

2131-2201 DR. ANDREW J. BROWN AVENUE (approximate address), INDIANAPOLIS.

SCOTT UNITED METHODIST CHURCH requests the rezoning of 1.2 acres, being in the I-3-U and D-5 Districts, to the SU-1 classification to provide for church uses.

PROPOSAL NOS. 65-68, 1994. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on January 28, 1994." The Council did not schedule Proposal Nos. 65-68, 1994



for hearing pursuant to IC 36-7-4-608. Proposal Nos. 65-68, 1994 were retitled REZONING ORDINANCE NOS. 13-16, 1994 and are identified as follows:

REZONING ORDINANCE NO. 13, 1994. 93-Z-182 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 22.

ST. JOSEPH NEIGHBORHOOD (approximate address), INDIANAPOLIS.  
METROPOLITAN DEVELOPMENT COMMISSION requests the rezoning of 5.41 acres, being in the C-4 and CBD-2 Districts, to the D-8 classification to conform existing residential development with the appropriate zoning district.

REZONING ORDINANCE NO. 14, 1994. 93-Z-186 WARREN TOWNSHIP.  
COUNCILMANIC DISTRICT # 13.

5302 ENGLISH AVENUE (approximate address), INDIANAPOLIS.  
DENNIS MCPHERSON, by Brian J. Tuohy, requests the rezoning of 0.25 acre, being in the D-5 District, to the C-4 classification to provide for a copy/reproduction center and vending machine storage/service business.

REZONING ORDINANCE NO. 15, 1994. 93-Z-187 LAWRENCE TOWNSHIP.  
COUNCILMANIC DISTRICT # 5.

10702 EAST 56TH STREET (approximate address), LAWRENCE.  
SANDERS DEVELOPMENT GROUP, INC., by Walter E. Wolf, Jr., requests the rezoning of 0.481 acre, being in the D-A District, to the D-5II classification to provide for residential development.

REZONING ORDINANCE NO. 16, 1994. 93-Z-188 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 16.

555 NORTH NEW JERSEY STREET (approximate address), INDIANAPOLIS.  
INDIANAPOLIS DEPARTMENT OF PUBLIC SAFETY requests the rezoning of 0.9 acre, being in the C-S District, to the SU-9 classification to conform existing development (Indianapolis Fire Department Fire Headquarters) with existing land use.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 3, 1994. The proposal amends the Revised Code concerning the continuation of sewer user fees. Councillor Coughenour asked for consent to postpone Proposal No. 3, 1994 until February 14, 1994. Consent was given.

### **SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 629, 1993. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 629, 1993 on January 19, 1994. The proposal authorizes the Department of Transportation to lease its Civil Engineering Lab to Snell Environmental Group, Inc. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor O'Dell, for adoption. Proposal No. 629, 1993 was adopted on the following roll call vote; viz:

*26 YEAS: Beadling, Black, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

*0 NAYS:*

*2 NOT VOTING: Gilmer, Williams*

*1 NOT PRESENT: Borst*

Proposal No. 629, 1993 was retitled SPECIAL RESOLUTION NO. 5, 1994 and reads as follows:

January 31, 1994

CITY-COUNTY SPECIAL RESOLUTION NO. 5, 1994

A SPECIAL RESOLUTION authorizing the Department of Transportation to lease its Civil Engineering Lab to Snell Environmental Group, Inc.

WHEREAS, the Department of Transportation's Civil Engineering Lab does not perform enough tests to justify its investment; and

WHEREAS, the Civil Engineering Lab exceeds OSHA's permissible level of trichloroethylene exposure; and

WHEREAS, Snell Environmental Group, Inc. desires to rent the Department of Transportation's Civil Engineering Lab, install a new ventilation system so that the lab conforms to OSHA requirements, conduct the Department of Transportation's materials testing, and give the Department of Transportation's work first priority; and

WHEREAS, the City-County Council has investigated the conditions compelling the Department of Transportation to want to lease its Civil Engineering Lab,

BE IT RESOLVED BY THE CITY-COUNCIL OF THE CITY  
OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council authorizes the Department of Transportation to lease its Civil Engineering Lab, located at 2001 Martin Luther King Boulevard, to Snell Environmental Group, Inc.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 684, 1993. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 684, 1993 on January 11, 1994. The proposal approves an amendment to the lease between the City, by and through its Department of Administration, and the City Market Corporation. By a 6-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor West moved, seconded by Councillor Hinkle, for adoption. Proposal No. 684, 1993, as amended, was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT PRESENT: *Borst*

Proposal No. 684, 1993, as amended, was retitled SPECIAL RESOLUTION NO. 6, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 6, 1994

A SPECIAL RESOLUTION approving an amendment to the lease between the City of Indianapolis, by and through its Department of Administration and The Indianapolis City Market Corporation, an Indiana not-for-profit corporation.

WHEREAS, the City of Indianapolis, by and through its Department of Administration has entered into a lease dated March 1, 1989 with The Indianapolis City Market Corporation, an Indiana not-for-profit corporation ("Lease"); and

WHEREAS, Section 285-203 of the Code of Indianapolis and Marion County, Indiana empowered the City of Indianapolis to enter into the Lease on such terms as may be negotiated from time to time and approved by the City-County Council; and



WHEREAS, the City of Indianapolis and The Indianapolis City Market Corporation desire to amend the Lease to allow the City, at the election of the City, to pay for all of the utilities or a portion of the utilities for the City Market in any given month during the term of the Lease; and

WHEREAS, the City-County Council now finds that it is appropriate to approve an amendment to the Lease to allow the City of Indianapolis, at its election to pay for the utilities, or a portion of the utilities for the City Market in any given month during the term of the Lease; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. That the City-County Council hereby approves an amendment to the Lease Agreement between the City of Indianapolis, by and through its Department of Administration and The Indianapolis City Market Corporation dated March 1, 1989 to allow the City of Indianapolis, at its election, to pay all or a portion of the costs for electric, water, sewer, chilled water, steam and telephone utilities for the City Market accrued during the term of the Lease and prior to January 1996.

SECTION 2. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NO. 1, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 1, 1994 on January 24, 1994. The proposal amends the Revised Code by delegating to the Indianapolis Fleet Services division the authority to establish administrative fees charged to non-City entities that use the services of the division. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Rhodes moved, seconded by Councillor Shambaugh, for adoption. Proposal No. 1, 1994, as amended, was adopted on the following roll call vote; viz:

*27 YEAS: Beadling, Black, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

*0 NAYS:*

*1 NOT VOTING: Williams*

*1 NOT PRESENT: Borst*

Proposal No. 1, 1994, as amended, was retitled GENERAL ORDINANCE NO. 4, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 4, 1994

A GENERAL ORDINANCE amending Sec. 221-301 of Article III, Chapter 221 of the "Revised Code of the Consolidated City and County" concerning the delegation of the authority to establish administrative fees charged to non-City entities that use the services of the Indianapolis Fleet Services division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County" be, and is hereby amended to add a new paragraph (5) and to renumber the current paragraph (5) to (6) of Sec. 221-301 of the Code by deleting the stricken-through text and inserting the underlined text as follows:

Sec. 221-301. Indianapolis Fleet Services division. The Indianapolis Fleet Services division shall:

- (1) Maintain and service, or authorize contracts or other methods of service or maintenance of, all vehicular equipment, accessories and other related equipment owned by the city;
- (2) Operate maintenance garages;



- (3) Make a determination that it is in the best interest of the city for a department of the city to lease all or a portion of that department's vehicular capital equipment or other automotive maintenance property from Indianapolis Fleet Services division. Upon such a determination by the administrator of Indianapolis Fleet Services division, the affected department and the board of that department shall cease to have the authority to acquire or approve the acquisition of the subject capital equipment or other property other than by lease from Indianapolis Fleet Services division. Such authority to acquire or approve the acquisition of capital equipment or other property other than by lease from the Indianapolis Fleet Services division may be restored by the administrator of the Indianapolis Fleet Services division only by a determination by such administrator that such a restoration of authority is in the best interest of the city;
- (4) Purchase and dispense fuel for authorized governmental vehicles and charge the cost of the same to the appropriate division or agency; ~~and~~
- (5) Establish administrative fees and charges for non-City entities that use the services of the Indianapolis Fleet Services division, subject to the procedures and limitations of this paragraph. The Indianapolis Fleet Services division shall file with the clerk of the city-county council a schedule showing each administrative fee or charge it establishes. The council may by resolution approve or disapprove the schedule or return it to the Indianapolis Fleet Services division for further consideration in accordance with the council's instructions. If the council disapproves the schedule, it does not take effect and the fees and charges remain as they were prior to the disapproval. If the council does not act within sixty  
(60) days of the date the schedule is filed with the clerk, the schedule becomes effective; and
- (56) Exercise any other powers which may be granted by statute or ordinance or delegated by the mayor.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 2, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 2, 1994 on January 24, 1994. The proposal approves a public purpose grant in the amount of \$25,000 to Central Indiana Radio Reading, Inc. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 2, 1994 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, Smith, West, Williams*  
0 NAYS:  
1 NOT VOTING: *Schneider*  
1 NOT PRESENT: *Borst*

Proposal No. 2, 1994 was retitled SPECIAL RESOLUTION NO. 7, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 7, 1994

A SPECIAL RESOLUTION approving a public purpose grant to Central Indiana Radio Reading, Inc. (CIRRI) in the amount of \$25,000 for the purpose of providing radio reading programs for the blind and print-disabled in Marion County, Indiana.

WHEREAS, the Cable Franchise Board proposes to authorize a public purpose grant in the amount of \$25,000 to Central Indiana Radio Reading Inc., to provide radio reading programs for the blind and print-disabled in Marion County, Indiana (the Grant); and

WHEREAS, Section 2-428 of the Code of Indianapolis and Marion County, Indiana, requires that all public purpose grants shall be subject to appropriation by the City County Council, and the Grant was appropriated by City-County Fiscal Ordinance No. 70, 1993, Annual Budget and Tax Levies for the Consolidated City of Indianapolis and for Marion County, Indiana; and

WHEREAS, Section 4.01(c) of City-County Fiscal Ordinance No. 70, 1993, Annual Budget and Tax Levies for the Consolidated City of Indianapolis and for Marion County, Indiana, requires that sums appropriated therein for public purpose grants shall not be spent until the City County Council of the City of Indianapolis and of Marion County, Indiana approves the amount and identity of the recipient of each grant; and

WHEREAS, the Council now finds that the Grant should be approved; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Grant in the amount of \$25,000 to Central Indiana Radio Reading, Inc., is hereby approved. No grant funds shall be used in whole or in part to fund any program which endorses a political candidate or which attempts to promote or influence legislation.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 4, 1994. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 4, 1994 on January 27, 1994. The proposal amends the Code concerning sick time conversion for Advanced Wastewater Treatment plant employees. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor Beadling, for adoption. Proposal No. 4, 1994 was adopted on the following roll call vote; viz:

*28 YEAS: Beadling, Black, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

*0 NAYS:*

*1 NOT PRESENT: Borst*

Proposal No. 4, 1994 was retitled GENERAL ORDINANCE NO. 5, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 5, 1994

A GENERAL ORDINANCE amending Sec. 23-27 of the Code of Indianapolis and Marion County:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sec. 23-27 of the Code of Indianapolis and Marion County is hereby amended by inserting the words underlined as follows:

Sec. 23-27. Sick leave.

- (a) *Accrual schedule for Unigov departments and appropriate county township assessors' offices.*
- (1) Full-time employees shall accrue sick leave at the rate of six (6) hours per month, seventy-two (72) hours per year. Part-time employees, at the discretion of the appropriate official, shall accrue sick leave on a pro rata basis (based on the percentage of the normal week which the employee works). Temporary/seasonal or part-time/temporary employees shall not accrue sick leave.
  - (2) Those employees who are starting to work on or before the fifteenth day of the month shall have their accounts credited with six (6) hours of sick time on the first day of the month following the month in which they were hired.
  - (3) Those employees who are starting to work after the fifteenth day of the month shall have their accounts credited with six (6) hours of sick time on the first day of the second month after they were hired.



- (4) Sick leave can only accrue if the employee works, is on paid leave of absence, or is receiving worker's compensation (or any combination of the three) for more than half of the month. However, accrual of sick leave shall end when the employee, receiving worker's compensation, has received a permanent disability rating, or when the employee has been on workers compensation for a period of twelve (12) months from the date of injury, whichever comes first.
- (b) *Accrual schedule for appropriate county and township assessor's offices.*
  - (1) Full-time employees shall accrue sick leave at the rate of five and sixty-three-hundredths (5.63) hours per month, sixty-seven and five-tenths (67.5) hours per year. Part-time employees, at the discretion of the appropriate official, may accrue sick leave on a pro rata basis (based on the percentage of the normal week the employee works). Temporary/seasonal or part-time/temporary employees shall not accrue sick leave.
  - (2) Those employees who are starting to work on or before the fifteenth day of the month shall have their accounts credited with five and sixty-three-hundredths (5.63) hours of sick time on the first day of the month following the month in which they were hired.
  - (3) Those employees who are starting to work after the fifteenth day of the month shall have their accounts credited with five and sixty-three-hundredths (5.63) hours of sick time on the first day of the second month after they were hired.
  - (4) Sick leave can only accrue if the employee works, is on a paid leave of absence or is receiving worker's compensation for more than half of the month.
- (c) *Unearned leave.* Sick leave cannot be used prior to accrual.
- (d) *Justification.* The burden of proof rests with the employee to convince his supervisor that sick leave is justifiable. The supervisor may require a medical certificate or other evidence of illness. Sick leave is only to be used for a personal doctor's appointment or personal illness. In addition, the appropriate official has the right to request that an employee be examined by a physician and/or medical facility of his or her choice, prior to allowing an employee to return to work, either for a job-related injury or sick leave. The appropriate official will pay the cost of this examination.
- (e) *Malingering.* In case of malingering, the supervisor may designate such leave as vacation leave or leave without pay or as grounds for dismissal.
- (f) *Conversion.* Any employee accruing eighteen (18) days of sick leave subsequent to July 1, 1973, shall be eligible to accrue excess accumulated sick leave. The employee may convert such excess accumulated sick leave to vacation leave at a rate of one (1) vacation day for two (2) days of excess accumulated sick leave. If such employee wishes to make such an election, he/she must file a written request with the appropriate official by December 1st or June 1st of each year. Such leave, which is converted to vacation leave, shall be deducted from the sick leave accumulation of such employee and credited to the employee's vacation account on January 1st or July 1st. Accrued sick leave of an employee must be verified by either the director of administration or his/her designee for city employees, or the appropriate official for county or township assessors' employees. Once conversion is elected, the time converted from sick leave to vacation leave cannot be converted back, and is then subject to the maximum eighty-hour carryover provision.
- (g) *Separation from employment.*
  - (1) Upon separation from employment by reason of death, permanent disability as defined by the Social Security Act, or retirement under circumstances such that the employee would be eligible for retirement benefits under Social Security or any other plan in effect by the employer, any employee with more than one (1) year of employment from the last date of hire will be entitled to compensation for accrued accumulated sick leave at one-half his or her regular daily rate or compensation.
  - (2) An employee who is a member of the bargaining unit covered by the Master Agreement between the City of Indianapolis and the American Federation of State, County and Municipal Employees, Indiana Council 62 and who is laid off due to reduction in force will be entitled to compensation for accrued, accumulated sick leave at one-half his/her regular daily rate of compensation up to a maximum of eighteen (18) days of compensation if the employee has more than one (1) year of employment from the last date of hire and relinquishes any and all recall rights whether established by contract or by policy, within ten (10) days of being laid off.



(h) *Charging sick leave.* Sick leave may only be taken for a minimum of one hour.

(i) *Disability leave.* Once temporary disability leave commences, all vacation leave, sick leave or other paid time shall be exhausted.

(j) Notwithstanding Sec. 23-27(f) employees of the Advanced Wastewater Treatment Plants (AWT's) may elect to convert sick leave in excess of 144 hours to vacation leave at the rate of one (1) vacation day for every two (2) sick days. Such election must be made in writing to the appropriate official by February 28, 1994 and will be effective upon submission. Employees who elected to convert sick time in December of 1993, may notify the appropriate official in writing of their rescission of that election prior to February 28, 1994. Upon such notification the employee will be credited with appropriate sick time as computed in this section.

SECTION 2. The expressed or implied repeal or amendment by this ordinance or any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the council and compliance with IC 36-3-4-14.

Councillor Gilmer reported that the following ten transportation proposals were heard by the Capital Asset Management Committee on January 19, 1994.

PROPOSAL NO. 530, 1993. The proposal amends the Code by authorizing a weight limit on 62nd Street from Michigan Road to Guion Road (Districts 1, 9). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Gilmer moved, seconded by Councillor Brents, to strike. Proposal No. 530, 1993 was stricken by consent.

PROPOSAL NO. 570, 1993. The proposal amends the Code by authorizing a multi-way stop at the intersection of Admirals Pointe, Admirals Pointe Drive and Promotory Road (District 5). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Gilmer moved, seconded by Councillor Beadling, for adoption. Proposal No. 570, 1993, as amended, was adopted on the following roll call vote; viz:

*28 YEAS: Beadling, Black, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

*0 NAYS:*

*1 NOT PRESENT: Borst*

Proposal No. 570, 1993, as amended, was retitled GENERAL ORDINANCE NO. 6, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 6, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

January 31, 1994

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
7, Pg. 1	Admirals Pointe Ci, Admirals Pointe Dr & Promontory Rd	Promontory Rd	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
7, Pg. 1	Admirals Pointe Ci, Admirals Pointe Dr & Promontory Rd	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 688, 689, 690 and 691, 1993. Councillor Gilmer asked for consent to vote on these four transportation proposals together. Consent was given. PROPOSAL NO. 688, 1993. The proposal amends the Code by authorizing intersection controls for Hickory Park subdivision (District 25). PROPOSAL NO. 689, 1993. The proposal amends the Code by authorizing intersection controls for Country Place subdivision (District 25). PROPOSAL NO. 690, 1993. The proposal amends the Code by authorizing intersection controls for the Maple Creek subdivision (District 12). PROPOSAL NO. 691, 1993. The proposal amends the Code by authorizing intersection controls for Lappin Way subdivision (District 12). By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Ruhmkorff, for adoption. Proposal Nos. 688, 689, 690 and 691, 1993 were adopted on the following roll call vote; viz:

23 YEAS: *Beadling, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, SerVaas, Shambaugh, Short, West, Williams*

0 NAYS:

5 NOT VOTING: *Black, Gilmer, Ruhmkorff, Schneider, Smith*

1 NOT PRESENT: *Borst*

Proposal No. 688, 1993 was retitled GENERAL ORDINANCE NO. 7, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 7, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:



<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
45, Pg. 3	Louise Dr & Sandalwood Dr	Louise Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 689, 1993 was retitled GENERAL ORDINANCE NO. 8, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 8, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
45, Pg. 2	Country Lane & Railroad Rd	Railroad Rd	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 690, 1993 was retitled GENERAL ORDINANCE NO. 9, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 9, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
28, Pg. 1	Classic Ct & Golf Stream Dr	Golf Stream Dr	Yield
28, Pg. 1	Club Ci & Golf Stream Dr	Golf Stream Dr	Yield
28, Pg. 1	Gallery Ct & Players Dr	Players Dr	Yield
28, Pg. 2	Golf Stream Dr & Players Dr	Golf Stream Dr	Stop
28, Pg. 2	Golf Stream Dr & 21st St	21st St	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.



Proposal No. 691, 1993 was retitled GENERAL ORDINANCE NO. 10, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 10, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
28, Pg. 2	Lappin Ct & 21st St	21st St	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 692, 1993. The proposal amends the Code by authorizing intersection controls for various locations in the Butler-Tarkington neighborhood (Districts 6, 9). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Gray, for adoption. Proposal No. 692, 1993 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Schneider*

1 NOT PRESENT: *Borst*

Proposal No. 692, 1993 was retitled GENERAL ORDINANCE NO. 11, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 11, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18, Pg. 3	Capitol Av & 42nd St	Capitol Av	Stop
18, Pg. 3	Capitol Av & Hampton Dr	Capitol Av	Stop
18, Pg. 2	Boulevard Pl & Hampton Dr	Boulevard Pl	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18, Pg. 3	Capitol Av & 42nd St	None	All Way Stop
18, Pg. 3	Capitol Av & Hampton Dr	None	All Way Stop
18, Pg. 2	Boulevard Pl & Hampton Dr	None	All Way Stop
18, Pg. 8	Haughey Av & 42nd St	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 693, 1993. The proposal amends the Code by authorizing changes in parking restrictions for various segments of 22nd Street (District 22). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Williams, for adoption. Proposal No. 693, 1993 was adopted on the following roll call vote; viz:

*27 YEAS: Beadling, Black, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

*0 NAYS:*

*1 NOT VOTING: Hinkle*

*1 NOT PRESENT: Borst*

Proposal No. 693, 1993 was retitled GENERAL ORDINANCE NO. 12, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 12, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets; Section 29-271, Stopping standing and parking prohibited at designated locations on certain days and hours; Section 29-272, Parking time restricted on designated days.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. That the "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be, and the same is hereby amended by the deletion of the following, to wit:

ON ANY DAY EXCEPT  
SATURDAYS, SUNDAYS AND HOLIDAYS

*from 7:00 a.m. to 9:00 a.m.*

Twenty-second Street, on the northside,  
from Delaware Street to Capitol Avenue

*from 4:00 P.m. to 6:00 a.m.*

Twenty-second Street, on the southside,  
from Capitol Avenue to Martindale Avenue

January 31, 1994

from 6:00 a.m. to 6:00 p.m.  
Twenty-second Street, on the southside,  
from Yandes Street to the Belt Railroad

SECTION 2. That the "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the deletion of the following, to wit:

Twenty-second Street, on both sides,  
from College Avenue to Martindale Avenue

Twenty-second Street, on the northside,  
from Delaware Street to Central Street

Twenty-second Street, on the southside,  
from Capitol Avenue to Illinois Street

Twenty-second Street, on the southside,  
from Central Avenue to the first  
alley west of Central Avenue

SECTION 3. That the "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the addition of the following, to wit:

Twenty-second Street, on the southside,  
from a point 270 feet west of College Avenue  
to a point 270 feet east of College Avenue

SECTION 4. That the "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Section 29-272, Parking time restricted on designated days, be, and the same is hereby amended by the deletion of the following, to wit:

90 MINUTE PARKING ON ANY DAY  
EXCEPT FOR SUNDAYS AND HOLIDAYS  
from 7:00 a.m. to 6:00 p.m.  
Twenty-second Street, on both sides,  
from Meridian Street to Delaware Street

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 694, 1993. The proposal amends the Code by authorizing weight limit restrictions on Harris Street from Washington Street to Vandalia Avenue (District 17). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Golc, for adoption. Proposal No. 694, 1993 was adopted on the following roll call vote; viz:

26 YEAS: Beadling, Black, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

2 NOT VOTING: Gilmer, Gray

1 NOT PRESENT: Borst

Proposal No. 694, 1993 was retitled GENERAL ORDINANCE NO. 13, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 13, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-224, Trucks on certain streets restricted.



BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-224, Trucks on certain streets restricted, be, and the same is hereby amended by the addition of the following, to wit:

11,000 POUNDS GROSS WEIGHT  
Harris Street, from Washington Street  
to Vandalia Avenue

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 695, 1993. The proposal amends the Code by deleting the No Left Turn on College Avenue onto 14th Street (westbound) (District 22). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Williams, for adoption. Proposal No. 695, 1993 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT PRESENT: *Borst*

Proposal No. 695, 1993 was retitled GENERAL ORDINANCE NO. 14, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 14, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-152, Left turns prohibited at enumerated locations.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-152, Left turns prohibited at enumerated locations, be, and the same is hereby amended by the deletion of the following, to wit:

ON ANY DAY EXCEPT SATURDAYS AND SUNDAYS

*from 7:00 a.m. to 9:00 a.m. and  
from 3:00 p.m. to 6:00 p.m.*

STREET VEHICLE TRAVELING UPON

PROHIBITED INTERSECTION AND TURN

College Avenue, Northbound

14th Street, Westbound

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**ANNOUNCEMENTS AND ADJOURNMENT**

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Baily (Flap) Robertson, Cromwell Ricketts and Albert E. Kirk. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records

January 31, 1994

of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

Councillor Coughenour congratulated Councillor Moriarty on her recent marriage.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:45 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 31st day of January, 1994.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Acting Clerk of the Council

(SEAL)





**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, FEBRUARY 14, 1994**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:10 p.m. on Monday, February 14, 1994, with Councillor SerVaas presiding.

Councillor Ruhmkorff led the opening prayer and invited all present to join her in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*28 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
*1 ABSENT: Giffin*

A quorum of twenty-eight members being present, the President called the meeting to order.

**OFFICIAL COMMUNICATIONS**

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers,

*Journal of the City-County Council*

on Monday, February 14, 1994, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Beurt SerVaas  
Beurt SerVaas, President  
City-County Council

January 31, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, February 3, 1994, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal No. 3, 1994, concerning sewer user charges, to be held on Monday, February 14, 1994, at 7:00 p.m., in the City-County Building.

Respectfully,  
s/Beverly S. Rippy  
Beverly S. Rippy, City Clerk

Due to an error on the part of the Indianapolis News, Proposal No. 3, 1994 was not advertised in the paper until February 7, 1994.

January 31, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, February 3, 1994, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 22, 23 and 26, 1994, to be held on Monday, February 14, 1994, at 7:00 p.m., in the City-County Building.

Respectfully,  
s/Robert G. Elrod  
Robert G. Elrod  
Acting Clerk of the City-County Council

February 1, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Acting Clerk of the City-County Council, Robert G. Elrod, the following ordinances and resolutions:

GENERAL ORDINANCE NO. 4, 1994 - amending the Revised Code by delegating to the Indianapolis Fleet Services division the authority to establish administrative fees charged to non-City entities that use the services of the division

GENERAL ORDINANCE NO. 5, 1994 - amending the Code concerning sick time conversion for Advanced Wastewater Treatment plant employees

GENERAL ORDINANCE NO. 6, 1994 - amending the Code by authorizing a multi-way stop at the intersection of Admirals Pointe, Admirals Pointe Drive and Promotory Road (District 5)

*February 14, 1994*

GENERAL ORDINANCE NO. 7, 1994 - amending the Code by authorizing intersection controls for Hickory Park subdivision (District 25)

GENERAL ORDINANCE NO. 8, 1994 - amending the Code by authorizing intersection controls for Country Place subdivision (District 25)

GENERAL ORDINANCE NO. 9, 1994 - amending the Code by authorizing intersection controls for the Maple Creek subdivision (District 12)

GENERAL ORDINANCE NO. 10, 1994 - amending the Code by authorizing intersection controls for Lappin Way subdivision (District 12)

GENERAL ORDINANCE NO. 11, 1994 - amending the Code by authorizing intersection controls for various locations in the Butler-Tarkington neighborhood

GENERAL ORDINANCE NO. 12, 1994 - amending the Code by authorizing changes in parking restrictions for various segments of 22nd Street (District 22)

GENERAL ORDINANCE NO. 13, 1994 - amending the Code by authorizing weight limit restrictions on Harris Street from Washington Street to Vandalia Avenue (District 17)

GENERAL ORDINANCE NO. 14, 1994 - amending the Code by deleting the No Left Turn on College Avenue onto 14th Street (westbound) (District 22)

SPECIAL RESOLUTION NO. 4, 1994 - recognizing Harry Feldman

SPECIAL RESOLUTION NO. 5, 1994 - authorizing the Department of Transportation to lease its Civil Engineering Lab to Snell Environmental Group, Inc.

SPECIAL RESOLUTION NO. 6, 1994 - approving an amendment to the lease between the City, by and through its Department of Administration, and the City Market Corporation

SPECIAL RESOLUTION NO. 7, 1994 - approving a public purpose grant in the amount of \$25,000 to Central Indiana Radio Reading, Inc.

Respectfully,  
s/Stephen Goldsmith  
Stephen Goldsmith

### **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

### **APPROVAL OF JOURNALS**

President SerVaas called for additions or corrections to the Journal of January 31, 1994. There being no additions or corrections, the minutes were approved as distributed.

### **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 96, 1994. This proposal, sponsored by Councillors SerVaas, Boyd and McClamroch, recognizes the services of Council Clerk Beverly S. Rippy. President SerVaas read the resolution and presented a copy of the document to Ms. Rippy, who expressed appreciation for the recognition. Councillor Boyd moved, seconded by Councillor Gilmer, for adoption. Proposal No. 96, 1994 was adopted by unanimous voice vote.

Proposal No. 96, 1994 was retitled SPECIAL RESOLUTION NO. 8, 1994 and reads as follows:



CITY-COUNTY SPECIAL RESOLUTION NO. 8, 1994

A SPECIAL RESOLUTION recognizing the services of Council Clerk Beverly S. Rippy.

WHEREAS, Beverly S. Rippy joined the Indianapolis Parks Department in 1969, a year before Unified Government, then transferred to the City-County Council office in 1974, whereupon she was elected Clerk of the Council two years later and reelected as Clerk for eighteen more annual terms; and

WHEREAS, when she was first elected Clerk in 1976, Dr. Beurt R. SerVaas was Council President, Alan Kimbell was Vice President, Phillip Hinkle was Research Director and Stuart Rhodes was Fiscal Analyst; and

WHEREAS, Beverly S. Rippy helped transform the Council Office from in her words, "the oldest typewriters imaginable," to today's modern computers, fax machine and electronic mail; and

WHEREAS, during her nearly two decades of service as Clerk, she remembers fondly of the spirit and growth of the city, of being at the dedication of Market Square Arena and at the ceremony in the Hoosier Dome to greet the new Indianapolis Colts; and

WHEREAS, as Clerk she took great pleasure in meeting and swearing in new Indianapolis Police Department graduating classes and the many leading citizens who were appointed to boards and commissions; and

WHEREAS, in January, 1994, Beverly S. Rippy retired from city employment after being Clerk for over 400 Council Meetings; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and thanks Beverly S. Rippy for her faithful work for the people of Indianapolis as Clerk of the Council from 1976 to 1994.

SECTION 2. May the Lord grant Beverly and her husband Garrett the best of health and happiness in the many years ahead.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

The President stated that the following board appointment proposals would be voted on together unless there is one that needs to be withdrawn for discussion. Councillor Williams asked that Proposal No. 24, 1994 be withdrawn and voted on separately.

PROPOSAL NOS. 706, 707, 711, 1993; 32, 33, 34, 35, 36, 37, 40, 41, 42, 43, 44, 46, 47, 48, 49, 50, 52, 53, 54, 56, 57, 58, 59, 60, 61 and 63, 1994. The President stated that these board appointments were heard by various committees. The Committees have recommended to the full Council that the proposals be adopted. PROPOSAL NO. 706, 1993. The proposal reappoints Michael Rodman to the Metropolitan Development Commission. PROPOSAL NO. 707, 1993. The proposal reappoints Randolph L. Snyder to the Metropolitan Development Commission. PROPOSAL NO. 711, 1993. The proposal reappoints Elliott Nelson to the Board of Public Safety. PROPOSAL NO. 32, 1994. The proposal reappoints James E. Sawyers to the Cable Franchise Board. PROPOSAL NO. 33, 1994. The proposal reappoints Mary Alice (Dubbie) Buckler to the Information Services Agency Board. PROPOSAL NO. 34, 1994. The proposal reappoints John von Arx to the Information Services Agency Board. PROPOSAL NO. 35, 1994. The proposal reappoints Phillip Hinkle to the Marion County Board of Tax Adjustment. PROPOSAL NO. 36, 1994. The proposal reappoints Mary Alice (Dubbie) Buckler to the Marion County Commission on Youth, Inc. PROPOSAL NO. 37, 1994. The proposal reappoints J. Byron Jensen to the Marion County

Commission on Youth, Inc. PROPOSAL NO. 40, 1994. The proposal appoints David R. Shirley to the Marion County Commission on Youth, Inc. PROPOSAL NO. 41, 1994. The proposal reappoints Mark DeFabis to the Indianapolis City-Market Corporation Board. PROPOSAL NO. 42, 1994. The proposal reappoints Sara Mitten Snyder to the Indianapolis City-Market Corporation Board. PROPOSAL NO. 43, 1994. The proposal reappoints Alan Retherford to the Metropolitan Board of Zoning Appeals Division I. PROPOSAL NO. 44, 1994. The proposal reappoints Joanna Walker to the Metropolitan Board of Zoning Appeals Division I. PROPOSAL NO. 46, 1994. The proposal reappoints Michael B. Murphy to the Metropolitan Board of Zoning Appeals Division II. PROPOSAL NO. 47, 1994. The proposal reappoints Mary Jane Klepek to the Metropolitan Board of Zoning Appeals Division III. PROPOSAL NO. 48, 1994. The proposal reappoints Ron Franklin to the Public Housing Advisory Council. PROPOSAL NO. 49, 1994. The proposal reappoints Michael McQuillen to the Public Housing Advisory Council. PROPOSAL NO. 50, 1994. The proposal reappoints Donald Palmer to the Urban Enterprise Association. PROPOSAL NO. 52, 1994. The proposal reappoints J. Lloyd Grannan to the Animal Control Board. PROPOSAL NO. 53, 1994. The proposal reappoints William S. Gardiner to the Citizens Police Complaint Board. PROPOSAL NO. 54, 1994. The proposal reappoints William B. Powers to the Citizens Police Complaint Board. PROPOSAL NO. 56, 1994. The proposal reappoints Melanie A. Schlegelmilch to the Juvenile Detention Center Advisory Board. PROPOSAL NO. 57, 1994. The proposal appoints Dennis Nicholas, M.D. to the Indianapolis-Marion County Forensic Board. PROPOSAL NO. 58, 1994. The proposal reappoints Rondle W. Brewer to the Marion County Community Corrections Advisory Board. PROPOSAL NO. 59, 1994. The proposal reappoints Susie Davie to the Marion County Community Corrections Advisory Board. PROPOSAL NO. 60, 1994. The proposal reappoints Cleon H. Foust to the Marion County Community Corrections Advisory Board. PROPOSAL NO. 61, 1994. The proposal reappoints Patricia M. Nickell to the Marion County Community Corrections Advisory Board. PROPOSAL NO. 63, 1994. The proposal appoints Mary Stewart to the Marion County Community Corrections Advisory Board. PROPOSAL NOS. 706, 707, 711, 1993; 32, 33, 34, 35, 36 (as amended), 37 (as amended), 40 (as amended), 41 (as amended), 42 (as amended), 43, 44, 46, 47, 48, 49, 50, 52, 53, 54, 56, 57, 58, 59, 60, 61 and 63, 1994 were adopted by unanimous voice vote.

Proposal No. 706, 1993 was retitled COUNCIL RESOLUTION NO. 10, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 10, 1994

A COUNCIL RESOLUTION reappointing Michael Rodman to the Metropolitan Development Commission.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Development Commission, the Council appoints:

Michael Rodman

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 707, 1993 was retitled COUNCIL RESOLUTION NO. 11, 1994 and reads as follows:



CITY-COUNTY COUNCIL RESOLUTION NO. 11, 1994

A COUNCIL RESOLUTION reappointing Randolph L. Snyder to the Metropolitan Development Commission.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Development Commission, the Council appoints:

Randolph L. Snyder

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 711, 1993 was retitled COUNCIL RESOLUTION NO. 12, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 12, 1994

A COUNCIL RESOLUTION reappointing Elliott Nelson to the Board of Public Safety.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Public Safety, the Council appoints:

Elliott Nelson

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 32, 1994 was retitled COUNCIL RESOLUTION NO. 13, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 13, 1994

A COUNCIL RESOLUTION reappointing James E. Sawyers to the Cable Franchise Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Cable Franchise Board, the Council appoints:

James E. Sawyers

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 33, 1994 was retitled COUNCIL RESOLUTION NO. 14, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 14, 1994

A COUNCIL RESOLUTION reappointing Mary Alice (Dubbie) Buckler to the Information Services Agency Board.



*February 14, 1994*

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Information Services Agency Board, the Council appoints:

Mary Alice (Dubbie) Buckler

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 34, 1994 was retitled COUNCIL RESOLUTION NO. 15, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 15, 1994

A COUNCIL RESOLUTION reappointing John von Arx to the Information Services Agency Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Information Services Agency Board, the Council appoints:

John von Arx

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 35, 1994 was retitled COUNCIL RESOLUTION NO. 16, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 16, 1994

A COUNCIL RESOLUTION reappointing Phillip Hinkle to the Marion County Board of Tax Adjustment.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Board of Tax Adjustment, the Council appoints:

Phillip Hinkle

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 36, 1994, as amended, was retitled COUNCIL RESOLUTION NO. 17, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 17, 1994

A COUNCIL RESOLUTION reappointing Mary Alice (Dubbie) Buckler to the Marion County Commission on Youth, Inc.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Commission on Youth, Inc., the Council appoints:

Mary Alice (Dubbie) Buckler

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 37, 1994, as amended, was retitled COUNCIL RESOLUTION NO. 18, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 18, 1994

A COUNCIL RESOLUTION reappointing J. Byron Jensen to the Marion County Commission on Youth, Inc.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Commission on Youth, Inc., the Council appoints:

J. Byron Jensen

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 40, 1994, as amended, was retitled COUNCIL RESOLUTION NO. 19, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 19, 1994

A COUNCIL RESOLUTION appointing David R. Shirley to the Marion County Commission on Youth, Inc.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Commission on Youth, Inc., the Council appoints:

David R. Shirley

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 41, 1994, as amended, was retitled COUNCIL RESOLUTION NO. 20, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 20, 1994

A COUNCIL RESOLUTION reappointing Mark DeFabis to the Indianapolis City-Market Corporation Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis City-Market Corporation Board, the Council appoints:

Mark DeFabis

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

February 14, 1994

Proposal No. 42, 1994, as amended, was retitled COUNCIL RESOLUTION NO. 21, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 21, 1994

A COUNCIL RESOLUTION reappointing Sara Mitten Snyder to the Indianapolis City-Market Corporation Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis City-Market Corporation Board, the Council appoints:

Sara Mitten Snyder

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 43, 1994 was retitled COUNCIL RESOLUTION NO. 22, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 22, 1994

A COUNCIL RESOLUTION reappointing Alan Retherford to the Metropolitan Board of Zoning Appeals Division I.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Board of Zoning Appeals Division I, the Council appoints:

Alan Retherford

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 44, 1994 was retitled COUNCIL RESOLUTION NO. 23, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 23, 1994

A COUNCIL RESOLUTION reappointing Joanna Walker to the Metropolitan Board of Zoning Appeals Division I.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Board of Zoning Appeals Division I, the Council appoints:

Joanna Walker

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 46, 1994 was retitled COUNCIL RESOLUTION NO. 24, 1994 and reads as follows:



CITY-COUNTY COUNCIL RESOLUTION NO. 24, 1994

A COUNCIL RESOLUTION reappointing Michael B. Murphy to the Metropolitan Board of Zoning Appeals Division II.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Board of Zoning Appeals Division II, the Council appoints:

Michael B. Murphy

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 47, 1994 was retitled COUNCIL RESOLUTION NO. 25, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 25, 1994

A COUNCIL RESOLUTION reappointing Mary Jane Klepek to the Metropolitan Board of Zoning Appeals Division III.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Board of Zoning Appeals Division III, the Council appoints:

Mary Jane Klepek

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 48, 1994 was retitled COUNCIL RESOLUTION NO. 26, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 26, 1994

A COUNCIL RESOLUTION reappointing Ron Franklin to the Public Housing Advisory Council.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Public Housing Advisory Council, the Council appoints:

Ron Franklin

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 49, 1994 was retitled COUNCIL RESOLUTION NO. 27, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 27, 1994

A COUNCIL RESOLUTION reappointing Michael McQuillen to the Public Housing Advisory Council.

*February 14, 1994*

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Public Housing Advisory Council, the Council appoints:

Michael McQuillen

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 50, 1994 was retitled COUNCIL RESOLUTION NO. 28, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 28, 1994

A COUNCIL RESOLUTION reappointing Donald Palmer to the Urban Enterprise Association.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Urban Enterprise Association, the Council appoints:

Donald Palmer

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1997. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 52, 1994 was retitled COUNCIL RESOLUTION NO. 29, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 29, 1994

A COUNCIL RESOLUTION reappointing J. Lloyd Grannan to the Animal Control Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Animal Control Board, the Council appoints:

J. Lloyd Grannan

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 53, 1994 was retitled COUNCIL RESOLUTION NO. 30, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 30, 1994

A COUNCIL RESOLUTION reappointing William S. Gardiner to the Citizens Police Complaint Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Citizens Police Complaint Board, the Council appoints:

William S. Gardiner

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1996. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 54, 1994 was retitled COUNCIL RESOLUTION NO. 31, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 31, 1994

A COUNCIL RESOLUTION reappointing William B. Powers to the Citizens Police Complaint Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Citizens Police Complaint Board, the Council appoints:

William B. Powers

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 56, 1994 was retitled COUNCIL RESOLUTION NO. 32, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 32, 1994

A COUNCIL RESOLUTION reappointing Melanie A. Schlegelmilch to the Juvenile Detention Center Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Juvenile Detention Center Advisory Board, the Council appoints:

Melanie A. Schlegelmilch

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1996. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 57, 1994 was retitled COUNCIL RESOLUTION NO. 33, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 33, 1994

A COUNCIL RESOLUTION appointing Dennis Nicholas, M.D. to the Indianapolis-Marion County Forensic Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis-Marion County Forensic Board, the Council appoints:

Dennis Nicholas, M.D.

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.



*February 14, 1994*

Proposal No. 58, 1994 was retitled COUNCIL RESOLUTION NO. 34, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 34, 1994

A COUNCIL RESOLUTION reappointing Rondle W. Brewer to the Marion County Community Corrections Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Community Corrections Advisory Board, the Council appoints:

Rondle W. Brewer

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1997. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 59, 1994 was retitled COUNCIL RESOLUTION NO. 35, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 35, 1994

A COUNCIL RESOLUTION reappointing Susie Davie to the Marion County Community Corrections Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Community Corrections Advisory Board, the Council appoints:

Susie Davie

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1997. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 60, 1994 was retitled COUNCIL RESOLUTION NO. 36, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 36, 1994

A COUNCIL RESOLUTION reappointing Cleon H. Foust to the Marion County Community Corrections Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Community Corrections Advisory Board, the Council appoints:

Cleon H. Foust

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1997. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 61, 1994 was retitled COUNCIL RESOLUTION NO. 37, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 37, 1994

A COUNCIL RESOLUTION reappointing Patricia M. Nickell to the Marion County Community Corrections Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Community Corrections Advisory Board, the Council appoints:

Patricia M. Nickell

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1997. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 63, 1994 was retitled COUNCIL RESOLUTION NO. 38, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 38, 1994

A COUNCIL RESOLUTION appointing Mary Stewart to the Marion County Community Corrections Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Community Corrections Advisory Board, the Council appoints:

Mary Stewart

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1997. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

PROPOSAL NO. 24, 1994. The proposal reappoints Urban I. Merl, Jr. to the Alcoholic Beverage Board of Marion County.

Councillor Williams stated that she believes Mr. Merl is a fine and hardworking person, but that the other members of the liquor board and the state board are moving forward--Mr. Merl is not. She said she will be voting against this reappointment.

Councillor Franklin stated that it is his opinion that Mr. Merl adheres to the laws as they are currently written. He will be supporting Mr. Merl.

Councillor McClamroch stated that Mr. Merl is a long-time member of the liquor board and has served many years with distinction. Councillor McClamroch said that he believes that Councillor Williams is trying to change Indiana law. She wants neighborhoods to have more involvement in the decision of renewal licenses. He said that he agrees with her but current Indiana law specifically does not include that kind of involvement. He urged the Councillors to approve Mr. Merl's nomination.



Councillor Curry said that Mr. Merl has been a member of this board since 1977 and has missed only one meeting. Councillor Curry reported that by a 4-1 vote, the Rules and Public Policy Committee reported the proposal to the Council with the recommendation that it do pass.

Councillors Borst, Gilmer and Mullin voiced their support of Mr. Merl.

Councillor Brents said she believes there should a minority on that board. She said that she will be voting against this nomination.

Councillor Black asked which law prohibits Mr. Merl to vote on behalf of the neighborhoods. The President said that just because a neighborhood does not want a liquor store in their neighborhood is not enough of a basis to refuse to renew a license, especially if the liquor store has been legally conducted and the proprietor is of good repute.

Councillor Gray said that he believes that Mr. Merl has been a member of the liquor board too long and it is time for a change.

Proposal No. 24, 1994 was adopted on the following roll call vote; viz:

21 YEAS: *Beadling, Borst, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*  
7 NAYS: *Black, Boyd, Brents, Gray, Jimison, Jones, Williams*  
1 NOT PRESENT: *Giffin*

Proposal No. 24, 1994 was retitled COUNCIL RESOLUTION NO. 39, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 39, 1994

A COUNCIL RESOLUTION reappointing Urban I. Merl, Jr. to the Alcoholic Beverage Board of Marion County.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Alcoholic Beverage Board of Marion County, the Council appoints:

Urban I. Merl, Jr.

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Councillor Williams said as a point of information that there has been some very positive changes at the state legislature this year concerning this matter. A bill has passed the house, and it is now in the senate. Joe Loftus, Deputy Mayor, has been doing a tremendous job of sheparding this law through, but the bill needs help from the senate Republicans.

Councillor Schneider asked what is the bill. Councillor Williams outlined the bill in general as follows: (1) The owners of liquor stores upon license renewal will have to notify neighborhood organizations and nearby churches; (2) The owners of liquor stores will be



more responsible for the business premises as opposed to simply the license premises; and (3) the Liquor Board is given the option to renew for two or three years those licenses that are not troublesome.

### **INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 70, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Phillip Hinkle to the Audit Committee"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 71, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$652,500 for the Department of Administration, Administrative Services Division, to finance the Neighborhood Revitalization Initiative program funded by private foundation grants"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 72, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Revised Code by making certain changes in the regulation of limousines and taxicabs"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 73, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Ron Franklin to the Urban Enterprise Association"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 74, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Leslie Duvall to the Marion County Community Corrections Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 75, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$104,000 for the County Sheriff to give retired merit deputies a 2% cost of living allowance"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 76, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$104,000 for the County Sheriff to make additional jail payments from the Cumulative Capital Development Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 77, 1994. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for Southern Lakes subdivision (District 23)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 78, 1994. Introduced by Councillor Ruhmkorff. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for Hartman Farms subdivision (District 12)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 79, 1994. Introduced by Councillor Beadling. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for Admirals Bay subdivision (District 5)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 80, 1994. Introduced by Councillor Gray. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for Oakforge Lakes subdivision (District 9)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 81, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for the Chestnut Hills subdivision (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 82, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at McFarland Boulevard and Poppyseed Drive (District 24)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 83, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Cricklewood Road and 65th Place (District 4)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 84, 1994. Introduced by Councillor Beadling. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Lee Road and 63rd Street (District 5)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 85, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Avalon Lane, Hillcrest Country Club Road, and Hillcrest Lane (District 4)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 86, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Delaware Street and 55th Street (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 87, 1994. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a traffic signal for the Marsh Access Drive with Thompson Road approximately 1,200 feet east



of Emerson Avenue (District 23)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 88, 1994. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by adding and deleting parking restrictions on 30th Street (Districts 8, 9, 10, 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 89, 1994. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by adding and deleting parking restrictions at various downtown locations (Districts 16, 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 90, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing the speed limit for segments of Southport Road (District 24)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 91, 1994. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a passenger and material loading zone for the Pan American Plaza (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 92, 1994. Introduced by Councillor Boyd. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a weight limit restriction on segments of Fall Creek Parkway, North Drive (Districts 4, 11)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 93, 1994. Introduced by Councillor Jones. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing weight limit restrictions on Gale Street, Ewing Street, and Kealing Avenue between 10th Street and Brookside Parkway (District 10)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 94, 1994. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a weight limit restriction on Arsenal Avenue from 10th Street to 12th Street (District 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 95, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing the director of the department of capital asset management to declare an emergency or special condition and cause traffic controls to be installed, erected and maintained"; and the President referred it to the Capital Asset Management Committee.



## SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 97-101, 1994. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on February 9, 1994." The Council did not schedule Proposal Nos. 97-101, 1994 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 97-101, 1994 were retitled REZONING ORDINANCE NOS. 17-21, 1994 and are identified as follows:

REZONING ORDINANCE NO. 17, 1994. 94-Z-1 WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 17.

4304 WEST WASHINGTON STREET (approximate address), INDIANAPOLIS.

FLEMING GARDEN CHRISTIAN CHURCH, by Peter A. Velde, requests the rezoning of 0.14 acre, being in the C-5 District, to the SU-1 classification to provide for church use.

REZONING ORDINANCE NO. 18, 1994. 94-Z-2 WASHINGTON TOWNSHIP.  
COUNCILMANIC DISTRICT # 6.

4174 and 4186 NORTH BROADWAY STREET (approximate address), INDIANAPOLIS.

INDIANAPOLIS-MARION COUNTY PUBLIC LIBRARY, by Walter E. Wolf, Jr., requests the rezoning of 0.55 acre, being in the D-5 District, to the SU-37 classification to provide for the expansion of an existing library.

REZONING ORDINANCE NO. 19, 1994. 94-Z-3 WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 19.

1440 SOUTH VINEWOOD AVENUE (approximate address), INDIANAPOLIS.

CARL W. RITCHIE, by Stephen D. Mears, requests the rezoning of 0.55 acre, being in the C-S District, to the C-S classification to provide for expansion of an existing motel.

REZONING ORDINANCE NO. 20, 1994. 94-Z-4 WARREN TOWNSHIP.  
COUNCILMANIC DISTRICT # 13.

50 SOUTH MUNSIE STREET (approximate address), CUMBERLAND.

TOWN OF CUMBERLAND, by Michael R. Franceschini, requests the rezoning of 7.32 acres, being in the I-2-S District, to the PK-1 classification to provide for a park.

REZONING ORDINANCE NO. 21, 1994. 94-Z-8 FRANKLIN TOWNSHIP.  
COUNCILMANIC DISTRICT # 23.

4901 SOUTH EMERSON AVENUE (approximate address), INDIANAPOLIS.

PEACE FREE WILL BAPTIST CHURCH, by Larry Pleasants, requests the rezoning of 4 acres, being in the SU-1 District, to the C-4 classification to provide for commercial development.

## SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 3, 1994. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 3, 1994 on February 1, 1994. The proposal amends the Revised Code concerning the continuation of sewer user fees. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 7:55 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Gilmer, for adoption. Proposal No. 3, 1994 was adopted on the following roll call vote; viz:

21 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Gilmer, Gray, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Ruhmkorff, SerVaas, Shambaugh, Short, West*

0 NAYS:

7 NOT VOTING: *Dowden, Golc, Jones, Rhodes, Schneider, Smith, Williams*

1 NOT PRESENT: *Giffin*

Proposal No. 3, 1994 was retitled GENERAL ORDINANCE NO. 15, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 15, 1994

A GENERAL ORDINANCE amending the Section of the Revised Code dealing with the establishment of rates and charges for the use of the sewer system.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sec. 671-102 of the Revised Code of the Consolidated City and County, is hereby amended by inserting the language underlined and deleting the language stricken-through as follows:

Sec. 671-102. Basis for charge; how calculated.

(a) *Established.* The sewer user charge imposed by this article shall be based upon the following general formulas:

$$V_T = Vu_1 + Vu_2 \dots + Vu_n$$
$$V_c = \frac{C_T - C_I - C_{I'} - C_u - C_E - I}{V_T} + \frac{0.25(C_I + C_{I'} + C_u)}{V_T}$$
$$Cc = \frac{0.75(C_I + C_{I'} + C_u)}{T_c} \div 12$$

*Nonindustrial user:*  $R = Vu(Vc) + Cc$

*Industrial user:*  $R = Vu(Vc) + Bc(B) + Sc(S) + Nc(N) + Pc(P) + Vu(Iu) + Cc$

Where

- $Cc$  = Availability of service charge per month.
- $C_T$  = Total operation and maintenance cost per a unit of time.
- $C_I$  = Operation and maintenance cost to transport and treat infiltration per a unit of time.
- $C_{I'}$  = Operation and maintenance cost to transport and treat inflow per a unit of time.
- $C_u$  = Operation and maintenance cost to transport and treat unmetered water per a unit of time.
- $C_E$  = Operation and maintenance cost to treat wastes in excess of base level strength.
- $V_c$  = Operation and maintenance cost to transport and treat a unit of users' wastes equal to or below the base level strength.
- $Bc$  = Operation and maintenance cost to treat a unit of BOD.
- $Sc$  = Operation and maintenance cost to treat a unit of SS.
- $Nc$  = Operation and maintenance cost to treat a unit of ammonia nitrogen.
- $Pc$  = Operation and maintenance cost to treat any other pollutant.
- $B$  = Amount of BOD from a user above a base level.
- $S$  = Amount of SS from a user above a base level.
- $N$  = Amount of ammonia nitrogen from a user above a base level.
- $P$  = Amount of any other pollutant from a user above a base level.
- $V_u$  = Volume contribution per user per a unit of time.
- $V_T$  = Total volume contribution from all users per a unit of time (does not include infiltration, inflow and unmetered).
- $I$  = Industrial surveillance cost per a unit of time.
- $I_u$  = Industrial surveillance cost per a unit of industrial volume per a unit of time.
- $R$  = User's charge for operation and maintenance per a unit of time.
- $V_R$  = Total waste water contributed by residential customers per a year.
- $T_c$  = Total number of connections to the system.



February 14, 1994

(b) *Application.* Until amended the following rates or factors shall apply; ~~effective January 1, 1985, and shall be in effect for the calendar years 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, and for January and February of 1994:~~

Vc = \$1.1339 per 1,000 gallons  
Iu = \$0.0539 per 1,000 gallons  
Bc = \$0.0859 per pound  
Sc = \$0.0970 per pound  
Cc = \$2.03 per month  
N = \$0.4474 per pound

(c) *Minimum charge and base level.* The minimum charge on any monthly billing for an industrial user shall be \$5.59 and non-industrial user shall be \$5.43. Further, for the purpose of the foregoing formulas, the BOD base level shall be 250 milligrams per liter, and SS base level shall be 300 milligrams per liter, and NH<sub>3</sub>-N base level shall be 20 milligrams per liter. The industrial and non-industrial rates and charges will be based on the quantity of water used on or delivered to the property or premises subject to such rates and charges, as the same is measured by the water meters in use and the strength of the waste where applicable except as hereinafter provided.

SECTION 2. (a) The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

(b) An offense committed before the effective date of this ordinance, under any ordinance expressly or impliedly repealed or amended by this ordinance shall be prosecuted and remains punishable under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the council adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 22, 1994. The proposal appropriates \$3,059,900 for the Department of Administration, Indianapolis Fleet Services Division, to purchase replacement vehicles for its fleet. Councillor Rhodes said that a number of questions has arisen concerning the number of vehicles to be replaced. Councillor Rhodes asked for consent to return Proposal No. 22, 1994 to Committee. Consent was given.

PROPOSAL NO. 23, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 23, 1994 on February 9, 1994. The proposal appropriates \$165,549 for Voters Registration to restore 1994 budget to election level by increasing Characters 01, 02, 03 and 04. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:00 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor Jimison, for adoption. Proposal No. 23, 1994 was adopted on the following roll call vote; viz:

25 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Dowden, Franklin, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West

1 NAY: Curry

2 NOT VOTING: Golc, Williams

1 NOT PRESENT: Giffin



Proposal No. 23, 1994 was retitled FISCAL ORDINANCE NO. 2, 1994 and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 2, 1994**

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional One Hundred Sixty-five Five Hundred Forty-nine Dollars (\$165,549) in the County General Fund for purposes of Voters Registration and reducing the unappropriated and unencumbered balance in the County General Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (f) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Voters Registration to restore 1994 budget to election level by increasing Characters 01, 02, 03 and 04.

SECTION 2. The sum of One Hundred Sixty-five Five Hundred Forty-nine Dollars (\$165,549) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>VOTERS REGISTRATION</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	\$ 64,000
2. Supplies	17,000
3. Other Services and Charges	74,549
4. Capital Outlay	<u>10,000</u>
TOTAL INCREASE	\$165,549

SECTION 4. The said additional appropriations are funded by the following reductions:

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>\$165,549</u>
TOTAL REDUCTION	\$165,549

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 26, 1994. The proposal, sponsored by Councillor Franklin, appropriates \$17,500 for the Superior Court, Criminal Division, Room Five, to fund an additional clerk's position. Councillor Dowden asked for consent to postpone Proposal No. 26, 1994 until February 28, 1994. Consent was given.

**SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 486, 1993. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 486, 1993 on February 2, 1994. The proposal, sponsored by Councillor Schneider, amends the Code concerning leaves for merit officers of the Indianapolis Police Department, Indianapolis Fire Department, and Marion County Sheriff's Department. By a 5-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 486, 1993, as amended, was adopted on the following roll call vote; viz:

February 14, 1994

25 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

3 NOT VOTING: *Golc, Gray, Moriarty Adams*

1 NOT PRESENT: *Giffin*

Councillor Moriarty Adams stated that she abstained due to a possible conflict of interest.

Proposal No. 486, 1993, as amended, was retitled GENERAL ORDINANCE NO. 16, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 16, 1994

A GENERAL ORDINANCE amending Chapter 23 of the Code concerning leaves for merit officers of the Indianapolis Police Department, Indianapolis Fire Department and Marion County Sheriff's Department.

BE IT ORDAINED BY THE CITY COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sec. 23-103 of Article VIII of Chapter 23 of the Code of Indianapolis and Marion County is hereby amended by inserting the words underlined as follows:

Sec. 23-103. Accumulation of annual leave days; annual leave carryover.

(a) Annual leave shall be taken within the calendar year in which it is accumulated except as provided in paragraph (b) of this section, however, at the discretion of the chief of the police force, up to a maximum of one hundred twelve (112) hours earned annual leave may be carried over from one calendar year to the next calendar year, provided the chief of the police department retains the right to schedule such carryover annual leave at his discretion in order to maintain the efficiency of the operation of the police department.

(b) In the case of an on-duty injury where an officer is precluded from using earned annual leave hours in that calendar year, all earned and unused annual leave shall be carried over from one calendar year to the next calendar year, provided the chief of the police department retains the right to schedule such carryover annual leave at his discretion in order to maintain the efficiency of the operation of the police department.

SECTION 2. Sec. 23-72 of Article VII of Chapter 23 of the Code of Indianapolis and Marion County is hereby amended by inserting the words underlined as follows:

Sec. 23-72. Annual leave.

(a) Each active member of the Indianapolis fire department hired on or before December 31, 1984, shall receive hereafter not less than one hundred sixty-eight (168) hours annual leave with full salary each and every fiscal year. Provided, that hereafter any active member of said fire department hired on or before December 31, 1984, who shall have served from ten (10) years to twenty (20) years on said department shall receive not less than two hundred forty (240) hours annual leave with full salary each and every fiscal year. Provided further that any active member of said department hired on or before December 31, 1984, who shall serve for more than twenty (20) years shall be entitled to one (1) additional duty day to be added to his regular annual leave. Annual leave shall be taken within the calendar year in which it is accumulated; however, at the discretion of the chief of the fire department, up to a maximum of two hundred forty (240) hours of earned annual leave may be carried over from one calendar year to the next calendar year, provided the chief of the fire department retains the right to schedule such carryover annual leave at his discretion in order to maintain the efficiency of the operation of the fire department.

(b) Each active member of the Indianapolis fire department hired after December 31, 1984, shall receive hereafter not less than one hundred twenty (120) hours annual leave with full salary each and every fiscal year. Provided, that hereafter any active member of said fire department hired after December 31, 1984, who shall have served seven (7) continuous years but less than fifteen (15) continuous years on said department shall receive not less than one hundred sixty-eight (168) hours annual leave with full salary each and every fiscal year. Provided further that any active member of said department hired after December 31, 1984, who shall have served fifteen (15) or more continuous years on said department shall receive not less than two hundred forty



(240) hours annual leave. Annual leave shall be taken within the calendar year in which it is accumulated except as provided in paragraph (d) of this section; however, at the discretion of the chief of the fire department, up to a maximum of three hundred twelve (312) hours of earned annual leave may be carried over from one calendar year to the next calendar year, provided the chief of the fire department retains the right to schedule such carryover annual leave at his discretion in order to maintain the efficiency of the operation of the fire department. Upon separation of employment by reason of death, or retirement under circumstances such that the employee would be eligible for retirement under state law, or in the event of layoff, if such layoff was anticipated to last longer than six (6) months, an employee will be entitled to compensation for accumulated vacation leave at his or her daily rate of compensation.

(c) Annual leave taken pursuant to this section shall be taken in increments of not less than one (1) duty day. "Duty day" shall mean twenty-four (24) hours for members of the department assigned to the suppression division, and eight (8) hours for all other members of the department.

(d) In the case of an on-duty injury where a firefighter is precluded from using unearned annual leave hours in that calendar year, all unearned and unused annual leave shall be carried over from one calendar year to the next calendar year, provided the chief of the fire department retains the right to schedule such carryover annual leave at his discretion in order to maintain the efficiency of the operation of the fire department.

SECTION 3. Sec. 23½-47 of Article VI of Chapter 23½ of the Code of Indianapolis and Marion County is hereby amended by inserting the words underlined as follows:

Sec. 23½-47. Accumulation and carryover of annual leave days.

(a) Annual leave shall be taken within the calendar year in which it is accumulated except as provided in paragraph (b) of this section. Up to a maximum of one hundred twelve (112) hours of earned annual leave may be carried from one calendar year to the next calendar year, provided the sheriff retains the right to schedule such annual leave at his discretion in order to maintain the efficient operation of the department.

(b) In the case of an on-duty injury where a county police officer is precluded from using earned annual leave hours in that calendar year, all earned and unused annual leave shall be carried over from one calendar year to the next calendar year, provided the sheriff retains the right to schedule such carryover annual leave at his discretion in order to maintain the efficiency of the operation of the county police department.

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 655, 1993. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 655, 1993 on January 5 and February 2, 1994. The proposal, sponsored by Councillors Beadling and McClamroch, amends the Code concerning numbering buildings. Councillor Dowden stated that this proposal changes the agency who assigns numbers from the Board of Public Works to the Department of Metropolitan Development and increases the fine from \$5 to \$7.50 for a first offense and from \$10 to \$25 for a second offense. All the public safety agencies support this proposal. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Dowden moved, seconded by Councillor Beadling, for adoption.

Councillor Beadling stated that this proposal also requires businesses to display the proper building numbers on their back doors if they have deliveries or customers who come to those doors. The post office also supports this proposal. She said that she heard that some people were concerned that a person might go to jail if they did not appear in court concerning a \$7.50 fine. She asked Sue Beesley, Corporation Counsel, to speak to this issue.

Ms. Beesley said a premises address violation would be handled through the Ordinance Violations Bureau and, if necessary, the City Prosecutor's Office. This is a civil process, not



a criminal process. To her knowledge there has never been incarceration involved with an ordinance violation.

Councillor Franklin said that he believes this is a good proposal, but it could be improved by making it one person's responsibility to comply with the provisions of this law.

Councillor Borst asked if this ordinance includes the excluded cities. Robert Elrod, General Counsel, said that it includes the Consolidated City of Indianapolis, which is all of Marion County except the four excluded cities: Speedway, Lawrence, Beech Grove and Southport.

Councillor Borst said that he is concerned about the penalties. He would like to have a grace period for the first offense. He moved to amend Proposal No. 655, 1993 as follows:

(1) A new Sec. 28-311:

Sec. 28-311. Penalties.

(a) The first premises address violation in any calendar year shall be subject to a written warning explaining how to correct the violation and explaining subsequent violation penalties.

(b) The second premises address violation in any calendar year shall be subject to admission of violation and payment of the designated civil penalty through the ordinance violations bureau in accordance with Chapter 103 of the Revised Code of the Consolidated City and County.

(c) All subsequent violations in the calendar year are subject to the enforcement procedures and penalties provided in Sec. 1-8 of the Code of Indianapolis and Marion County, Indiana.

(2) Delete the first offense fine for premises address violation in Sec. 103-52.

Councillor Jimison seconded this motion.

Councillor Gilmer spoke against that amendment. He said that this proposal could save lives. If someone dialed 911 and the numbers are not displayed on the house, it could be a matter of life and death.

Councillor Coughenour spoke in favor of Councillor Borst's amendment because people should be given a warning first before being cited.

Councillor Williams said that there seems to be a lot of debate over a concept that everyone agrees to but which needs a little more work. She moved to return this proposal to committee. Councillor Gray seconded the motion.

The President said he also has an amendment to offer on this proposal. He asked Councillor Beadling if she would be opposed to sending this back to Committee. Councillor Beadling said that she would rather not see it sent back to Committee, but if that is the wish of this body, she would go along with it.

Councillor Williams' motion to return Proposal No. 655, 1993 to Committee passed by the following roll call vote; viz:

*16 YEAS: Black, Boyd, Brents, Coughenour, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, Mullin, SerVaas, Short, Smith, Williams*

*12 NAYS: Beadling, Borst, Curry, Dowden, McClamroch, Moriarty Adams, O'Dell, Rhodes, Ruhmkorff, Schneider, Shambaugh, West*  
*1 NOT PRESENT: Giffin*

The President said that he would like to be added as a sponsor to Proposal No. 655, 1993.

PROPOSAL NO. 20, 1994. The proposal, sponsored by Councillor West, amends Council Resolution No. 19, 1991 to correct the expiration date of the term of William B. Powers as a member of the Citizens Police Complaint Board. Councillor Dowden asked for consent to strike Proposal No. 20, 1994. Consent was given.

PROPOSAL NO. 27, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 27, 1994 on February 2, 1994. The proposal renews the Community Corrections program for fiscal year 1994-1995 and approving the Community Corrections Advisory Board's grant application to the State. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 27, 1994 was adopted on the following roll call vote; viz:

*25 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
*0 NAYS:*  
*3 NOT VOTING: Beadling, Golc, Mullin*  
*1 NOT PRESENT: Giffin*

Proposal No. 27, 1994 was retitled COUNCIL RESOLUTION NO. 40, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 40, 1994

A COUNCIL RESOLUTION renewing the Marion County Community Corrections Program for fiscal year 1994-1995 and approving the actions of the Marion County Community Corrections Advisory Board with respect to the Board's 1994-1995 grant application to the State of Indiana, Department of Corrections.

WHEREAS, the Marion County Community Corrections Advisory Board was established by City-County Special Resolution No. 103, 1981, pursuant to IC 11-12-1; and

WHEREAS, Marion County received a grant from the State of Indiana to finance the Marion County Community Corrections Program for fiscal year 1994-1995; and

WHEREAS, the Marion County Community Corrections Advisory Board is currently operating a Community Corrections Program funded by the grant from the State of Indiana; and

WHEREAS, the Marion County Community Corrections Advisory Board has approved the grant application for fiscal year 1994-1995, a copy of which is on file with the Clerk of the Council and incorporated herein by reference, and has submitted said grant application to the State of Indiana, Department of Corrections for its consideration; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The actions of the Marion County Community Corrections Advisory Board with respect to the Board's grant application to the State of Indiana, Department of Corrections are hereby approved and the Board is authorized to proceed in accordance with IC 11-12-2 and the terms of said application.



February 14, 1994

SECTION 2. In the event that the State of Indiana, Department of Corrections approves the grant application for Marion County, the City-County Council of Indianapolis and Marion County hereby renews the Community of Corrections Program for a period of one year beginning on July 1, 1994.

SECTION 3. This City-County Council has no intention of supplementing or financing the projects contained in such grant application and approved herein by use of revenues from any local tax regardless of source, except for some programs that the City-County Council wishes to fund. At any time that knowledge is received that the state of federal financing of this agency or project is, or will be, reduced or eliminated, the chairman of the Community Corrections Advisory Board or the County Auditor or both are directed to notify the City-County Council in writing of such proposed loss of revenue. Any contract, purchase order or financial commitment by the Community Corrections Advisory Board shall be subject to available non-local revenues and void to the extent such funding is not received.

SECTION 4. Notwithstanding IC 11-12-1-3 any agreement or other contract contemplating the lease, purchase or use of residential space for a Community Corrections Program in Marion County must be signed by the Mayor of Indianapolis as County Executive after prior approval of the City-County Council pursuant to IC 36-3.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 28, 1994. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 28, 1994 on February 1, 1994. The proposal amends the Revised Code by revising the Council rules establishing committees. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Curry moved, seconded by Councillor Dowden, for adoption. Proposal No. 28, 1994 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Short, Smith, West, Williams*  
0 NAYS:  
2 NOT VOTING: *Borst, Shambaugh*  
1 NOT PRESENT: *Giffin*

Proposal No. 28, 1994 was retitled GENERAL ORDINANCE NO. 17, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 17, 1994

A GENERAL ORDINANCE amending Chapter 151 of the Revised Code revising the council rules establishing committees.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sec. 151-25 of the "Revised Code of the Consolidated City and County" be, and is hereby amended by deleting the stricken-through text and inserting the underlined text to read as follows:

Sec. 151-25. Standing committees enumerated.

The standing committees of the council shall be as follows:

- (1) The administration and finance committee;
- (2) The capital asset management committee;
- (~~2~~3) The community affairs committee;
- (~~3~~4) The economic development committee;



- (45) The metropolitan development committee;
- (56) The municipal corporations committee;
- (67) The parks and recreation committee;
- (78) The public safety and criminal justice committee;
- (89) The public works committee;
- ~~(9) The transportation committee.~~

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

### **OLD BUSINESS**

Councillor Williams stated that some time ago a committee was established to study security in this building and asked when this report would be ready. The President responded that the committee will have a report by the February 28, 1994 Council meeting.

### **NEW BUSINESS**

Councillor Gray commented on the recent bad weather and wanted the mayor to realize that the secondary streets need to be cleared as well as the primary ones.

### **ANNOUNCEMENTS AND ADJOURNMENT**

Councillor Short announced that Councillor Williams was awarded the Martin Luther King, Jr. Individual Award at the King-Walker-Wilkins-Young Memorial Awards Dinner.

The motion for adjournment was requested by Councillors Hinkle and Golc in memory of Anna Steckler Jones. Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Anna Steckler Jones. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:40 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 14th day of February, 1994.

February 14, 1994

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Acting Clerk of the Council

(SEAL)





**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, FEBRUARY 28, 1994**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:10 p.m. on Monday, February 28, 1994, with Councillor SerVaas presiding.

Councillor Mullin led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*29 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

A quorum of twenty-nine members being present, the President called the meeting to order.

**OFFICIAL COMMUNICATIONS**

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers,

*Journal of the City-County Council*

on Monday, February 28, 1994, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Beurt SerVaas  
Beurt SerVaas, President  
City-County Council

February 14, 1993

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, February 17, 1994, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal No. 71, 1994, to be held on Monday, February 28, 1994, at 7:00 p.m., in the City-County Building.

Respectfully,  
s/Suellen Hart  
Suellen Hart  
Assistant Clerk of the City-County Council

February 15, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Acting Clerk of the City-County Council, Robert G. Elrod, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 2, 1994 - appropriating \$165,549 for Voters Registration to restore 1994 budget to election level by increasing Characters 01, 02, 03 and 04

GENERAL ORDINANCE NO. 15, 1994 - amending the Revised Code concerning the continuation of sewer user fees

GENERAL ORDINANCE NO. 16, 1994 - amending the Code concerning leaves for merit officers of the Indianapolis Police Department, Indianapolis Fire Department, and Marion County Sheriff's Department

GENERAL ORDINANCE NO. 17, 1994 - amending the Revised Code by revising the Council rules establishing committees

SPECIAL RESOLUTION NO. 8, 1994 - recognizing the services of Council Clerk Beverly S. Rippy

Respectfully,  
s/Stephen Goldsmith  
Stephen Goldsmith

**ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

**APPROVAL OF JOURNALS**

President SerVaas called for additions or corrections to the Journal of February 14, 1994. There being no additions or corrections, the minutes were approved as distributed.

**PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS  
AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 128, 1994. This proposal, sponsored by Councillor Short, recognizes hero Scott Thomas. Councillor Short read the resolution and presented a copy of the document to Mr. Thomas, who expressed appreciation for the recognition. Fire Chief Keith Smith presented a certificate to Scott Thomas proclaiming him an honorary firefighter. Mr. Thomas' parents were also present. Councillor Short moved, seconded by Councillor Gray, for adoption. Proposal No. 128, 1994 was adopted by unanimous voice vote.

Proposal No. 128, 1994 was retitled SPECIAL RESOLUTION NO. 9, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 9, 1994

A SPECIAL RESOLUTION recognizing hero Scott Thomas.

WHEREAS, heroes come in all sizes, shapes and ages; and Scott Thomas' moment came January 29, 1994, while he was on a routine delivery of Domino's Pizza; and

WHEREAS, while enroute to deliver his pizza, he noticed flames in the window of an apartment house on the 1200 block of South Churchman Avenue; and

WHEREAS, sizing up what needed to be done, he kicked in the front door but was driven back by smoke, he then ran to the back and was able to unlock a rear door by breaking a window, whereupon he heard children and went upstairs to lead a mother and her two children safely out of the burning house; and

WHEREAS, three people owe their lives to the alertness and bravery of Scott Thomas, who did the right thing that Saturday night; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and commends eighteen-year-old Scott Thomas who rescued three people from a burning house on January 29, 1994.

SECTION 2. This city, and Scott's employer Domino's Pizza, is fortunate, indeed, to have such residents and employees.

SECTION 3. The Council wishes Scott well in his future endeavors.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 129, 1994. This proposal, sponsored by Councillor Coughenour, welcomes Shirley Jones to Indianapolis. Councillor Coughenour read the resolution and stated that it would be presented to Ms. Jones at the Circle Theatre on March 1, 1994. Councillor Coughenour moved, seconded by Councillor Beadling, for adoption. Proposal No. 129, 1994 was adopted by unanimous voice vote.

Proposal No. 129, 1994 was retitled SPECIAL RESOLUTION NO. 10, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 10, 1994

A SPECIAL RESOLUTION welcoming Shirley Jones to Indianapolis.



WHEREAS, Shirley Jones, one of America's most celebrated motion picture stars, will be the guest of honor at a special free screening of her classic musical OKLAHOMA in celebration of the recent availability of American Movie Classics channel to all local homeowners who subscribe to cable television; and

WHEREAS, Shirley Jones, who won an Academy Award for her portrayal of Lulu Baines in ELMER GANTRY, also starred in such classic musicals as OKLAHOMA, CAROUSEL and THE MUSIC MAN, hosts American Movie Classics "Classics for the Family," seen every Sunday afternoon; and

WHEREAS, we, the members of the Indianapolis City-County Council are proud to welcome this screen legend to our community; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council joins with Stephen Goldsmith, Mayor of Indianapolis, in welcoming Shirley Jones to our city.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Gilmer asked for consent to hear Proposal No. 25, 1994 at this time. Consent was given.

PROPOSAL NO. 25, 1994. Councillor Giffin reported that the Parks and Recreation Committee heard Proposal No. 25, 1994 on February 28, 1994. The proposal, sponsored by Councillor Gilmer, approves the leasing of property within Eagle Creek Park by the Department of Parks and Recreation for the purpose of establishing a restaurant and marina facility. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Giffin moved, seconded by Councillor Gilmer, for adoption.

Councillor Gilmer voiced his support of constructing a family-type restaurant and marina facility in Eagle Creek Park. He said it is a 25-year land lease and the City is guaranteed \$100,000 a year in rental income.

Councillor Giffin asked Leon Younger, Director, Department of Parks and Recreation, what guarantee the City has if this restaurant should cease operating. Mr. Younger said that the bank has a year to find another restaurant to operate under the same agreement. The City also has the option to purchase all of the lessee's interest in the facility.

Councillor Black asked if the City has any financial obligations with this lease agreement. Mr. Younger responded that the City has no financial obligations with this deal.

Proposal No. 25, 1994 was adopted on the following roll call vote; viz:

29 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
0 NAYS:

Proposal No. 25, 1994 was retitled SPECIAL RESOLUTION NO. 11, 1994 and reads as follows:

February 28, 1994

CITY-COUNTY SPECIAL RESOLUTION NO. 11, 1994

A SPECIAL RESOLUTION approving the leasing of certain real estate of the Department of Parks and Recreation.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council hereby approves, pursuant to IC 36-1-11-3 the lease of property by the Department of Parks and Recreation for the purpose of establishing a restaurant and marina facility.

SECTION 2. The property consists of approximately 10.5 acres in Eagle Creek Park, and is generally described as 4000 Dandy Trail.

SECTION 3. The annual rental payment for the restaurant operation upon commencement of the lease shall be \$90,000.00 and the annual fee for use of the marina shall be \$10,000.00.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

The President stated that Proposal No. 716, 1993 would be next on the agenda.

PROPOSAL NO. 716, 1993. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 716, 1993 on February 23, 1993. The proposal conforms terms of appointments to the Public Defender Board to comply with amendments to the current ordinance. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 716, 1993 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

2 NOT VOTING: *Hinkle, Jones*

Proposal No. 716, 1993 was retitled COUNCIL RESOLUTION NO. 41, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 41, 1994

A COUNCIL RESOLUTION to conform terms of appointments to the Public Defender Board to comply with amendments to the current ordinance.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Council Resolution Nos. 29 and 156, 1993 are hereby amended to extend the terms of the appointments of Jon Bailey and Virginia McCarty to expire on December 31, 1995.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 704, 710, 1993; 51, 55, 62, 73 and 74, 1994. The President stated that the eight board appointments would be voted on together. He said that these proposals were heard by various committees. PROPOSAL NO. 704, 1993. The proposal nominates C. Richard Petticrew to the Indianapolis Economic Development Commission. PROPOSAL NO. 710, 1993. The proposal reappoints Rudy Hightower to the Board of Public Safety. PROPOSAL NO. 51, 1994. The proposal reappoints David Stirman to the Indianapolis



Public Transportation Corporation Board. PROPOSAL NO. 55, 1994. The proposal reappoints Larna Spearman to the Citizens Police Complaint Board. PROPOSAL NO. 62, 1994. The proposal reappoints Susan Brooks to the Marion County Community Corrections Advisory Board. PROPOSAL NO. 73, 1994. The proposal appoints Ron Franklin to the Urban Enterprise Association. PROPOSAL NO. 74, 1994. The proposal appoints Leslie Duvall to the Marion County Community Corrections Advisory Board. By unanimous votes, the Committees have recommended to the full Council that Proposal Nos. 704, 710, 1993 and 51, 55, 62, and 74, 1994 be adopted. By a 5-1 vote, the Metropolitan Development Committee has recommended to the full Council that Proposal No. 73, 1994 be adopted.

Councillor West moved to amend Proposal No. 704, 1993, Section 1, by adding the text "for the term ending January 31, 1998" at the end of the sentence. Councillor McClamroch seconded the motion, and it passed by unanimous voice vote.

Councillor Beadling stated that she believes the board appointees should be present at the Council meeting when they are nominated so the public could see who they are. The President said that Councillor Beadling had a point and agrees that especially the new appointees should be present and voice their acceptance. He asked Councillor Beadling to give him further suggestions on this matter and how it could be administered easily.

Councillor McClamroch moved, seconded by Councillor West, for adoption of Proposal Nos. 704, 710 (as amended), 1993; and 51, 55, 62, and 74, 1994. These proposals were adopted by the following roll call vote; viz:

*24 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Gray, Hinkle, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Short, Smith, West, Williams*

*0 NAYS:*

*5 NOT VOTING: Giffin, Golc, Jimison, Jones, Shambaugh*

Proposal No. 704, 1993, as amended, was retitled COUNCIL RESOLUTION NO. 42, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 42, 1994

A COUNCIL RESOLUTION nominating C. Richard Petticrew for reappointment to the Indianapolis Economic Development Commission for the term ending January 31, 1998.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Council nominates C. Richard Petticrew for reappointment by the mayor to the Indianapolis Economic Development Commission.

Proposal No. 710, 1993 was retitled COUNCIL RESOLUTION NO. 43, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 43, 1994

A COUNCIL RESOLUTION reappointing Rudy Hightower to the Board of Public Safety.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:



February 28, 1994

SECTION 1. As a member of the Board of Public Safety, the Council appoints:

Rudy Hightower

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 51, 1994 was retitled COUNCIL RESOLUTION NO. 44, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 44, 1994

A COUNCIL RESOLUTION reappointing David A. Stirman to the Indianapolis Public Transportation Corporation Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis Public Transportation Corporation Board, the Council appoints:

David A. Stirman

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1997. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 55, 1994 was retitled COUNCIL RESOLUTION NO. 45, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 45, 1994

A COUNCIL RESOLUTION reappointing Larna Spearman to the Citizens Police Complaint Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Citizens Police Complaint Board, the Council appoints:

Larna Spearman

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 62, 1994 was retitled COUNCIL RESOLUTION NO. 46, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 46, 1994

A COUNCIL RESOLUTION reappointing Susan Brooks to the Marion County Community Corrections Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Community Corrections Advisory Board, the Council appoints:

Susan Brooks

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1997. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 73, 1994 was retitled COUNCIL RESOLUTION NO. 47, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 47, 1994

A COUNCIL RESOLUTION appointing Ron Franklin to the Urban Enterprise Association.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Urban Enterprise Association, the Council appoints:

Ron Franklin

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1997. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 74, 1994 was retitled COUNCIL RESOLUTION NO. 48, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 48, 1994

A COUNCIL RESOLUTION appointing Leslie Duvall to the Marion County Community Corrections Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Community Corrections Advisory Board, the Council appoints:

Leslie Duvall

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1997. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 107, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving a salary administration plan for the City"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 108, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE approving a new salary schedule for bi-weekly civilian employees"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 109, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE



approving a new salary schedule for bi-weekly employees of the Police Special Service District"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 110, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE approving a new salary schedule for bi-weekly employees of the Fire Special Service District"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 111, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE approving a new salary schedule for bi-weekly employees of the Solid Waste Collection Special Service District"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 112, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$2,073,000 for the Department of Public Safety, Police Division, to consolidate 1994 cumulative capital funds in Character 04 to purchase police patrol vehicles"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 113, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$82,910 for Metropolitan Emergency Communications Agency to fund shortfall in its 1994 budget caused by conversion from City to County payroll and to cover increase in data circuit charges"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 114, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$19,138 for the Court Administrator Agency to defray the cost of the second and last phase of the construction project of its new offices"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 115, 1994. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$30,000 for Forensic Services Agency to cover supplies and equipment to train an Arab police examiner in DNA analysis funded by Abu Dhabi and deposited in the County General Fund last year"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 116, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by updating the county corrections fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 117, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code dealing with the collection of grass"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 118, 1994. Introduced by Councillor SerVaas. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code authorizing



intersection controls for Windcombe subdivision (District 2)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 119, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for Quail Creek subdivision (District 24)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 120, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for Lakeside Woods subdivision (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 121, 1994. Introduced by Councillor Beadling. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for Admirals Sound subdivision (District 5)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 122, 1994. Introduced by Councillors Gilmer and SerVaas. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for the Brettonwood subdivision (Districts 1, 2)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 123, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for Ashworth subdivision (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 124, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at High School Road and 52nd Street (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 125, 1994. Introduced by Councillor Gray. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a traffic signal at Moller Way and Pike Plaza Road (District 9)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 126, 1994. Introduced by Councillors O'Dell and Ruhmkorff. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Cumberland Road, Muessing Street, and 10th Street (Districts 12, 13)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 127, 1994. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a loading zone on Indiana Avenue for Forest McGinnis Interiors, Inc. (District 16)"; and the President referred it to the Capital Asset Management Committee.

## SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 102 and 103, 1994. The President ruled that these two proposals would be voted on together. PROPOSAL NO. 102, 1994. The proposal amends Special Resolution No. 72, 1990, by extending the expiration date for Homeward Partners, Inc. through August 31, 1994. PROPOSAL NO. 103, 1994. The proposal amends Special Resolution No. 45, 1993, as amended by extending the expiration date for Brulin & Company, Inc. through August 31, 1994. Councillor Borst reported that the Economic Development Committee heard Proposal Nos. 102 and 103, 1994 on February 17, 1994. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Borst moved, seconded by Councillor Jones, for adoption. Proposal Nos. 102 and 103, 1994 were adopted on the following roll call vote; viz:

*24 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Gray, Hinkle, Jimison, McClamroch, Mullin, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

*0 NAYS:*

*5 NOT VOTING: Golc, Jones, Moriarty Adams, Rhodes, Ruhmkorff*

Proposal No. 102, 1994 was retitled SPECIAL RESOLUTION NO. 12, 1994 and reads as follows:

### CITY-COUNTY SPECIAL RESOLUTION NO. 12, 1994

A SPECIAL RESOLUTION amending City-County Special Resolution No. 72, 1990, as amended, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 72, 1990, as amended, (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by Homeward Partners, Inc. (the "Company") which Inducement Resolution set an expiration date of December 31, 1993 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

### BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The City-County Council finds, determined, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of December 31, 1993, contained therein and replacing said date with the date of August 31, 1994.

SECTION 2. The City-County Council further finds, determined, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.



Proposal No. 103, 1994 was retitled SPECIAL RESOLUTION NO. 13, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 13, 1994

A SPECIAL RESOLUTION amending City-County Special Resolution No. 72, 1990, as amended, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 45, 1993 (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by Brulin & Company, Inc. (the "Company") which Inducement Resolution set an expiration date of February 28, 1994 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The City-County Council finds, determined, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of February 28, 1994, contained therein and replacing said date with the date of August 31, 1994.

SECTION 2. The City-County Council further finds, determined, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 104, 1994. Councillor Borst reported that the Economic Development Committee heard Proposal No. 104, 1994 on February 17, 1994. The proposal approves the execution of document amendments relating to the previously-issued City of Indianapolis, Indiana Adjustable Rate Economic Development Revenue Bonds, Series 1991 (Cantor & Coleman II Project) and approves and authorizes other actions in respect thereto. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Smith, for adoption. Proposal No. 104, 1994 was adopted on the following roll call vote; viz:

*24 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Giffin, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

*0 NAYS:*

*5 NOT VOTING: Franklin, Gilmer, Golc, Gray, Jones*

Proposal No. 104, 1994 was retitled SPECIAL ORDINANCE NO. 1, 1994 and reads as follows:



February 28, 1994

CITY-COUNTY SPECIAL ORDINANCE NO. 1, 1994

A SPECIAL ORDINANCE approving the execution of document amendments relating to the previously-issued City of Indianapolis, Indiana Adjustable Rate Economic Development Revenue Bonds, Series 1991 (Cantor & Coleman II Project) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indiana Code, Title 36, Article 7, Chapters 11.9 and 12 (the "Act"), has been enacted by the General Assembly of Indiana; and

WHEREAS, the Act declares that the financing of economic development facilities and refunding of such financings constitutes a public purpose; and

WHEREAS, the Act provides that an issuer may pursuant to the Act issue revenue bonds and lend the proceeds thereof to a corporation for the purpose of refunding bonds which were issued for the purpose of financing costs of acquisition or construction of facilities, including real and personal property, for diversification of economic development and promotion of job opportunities in or near such issuer; and

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") and Cantor & Coleman II, a general partnership organized and existing under the laws of the State of Indiana (the "Partnership"), entered into a Loan Agreement dated as of July 1, 1991 (the "Loan Agreement"), pursuant to which the Issuer agreed to lend to the Partnership the proceeds from the sale of the Issuer's \$3,215,000 City of Indianapolis, Indiana Adjustable Rate Economic Development Revenue Bonds, Series 1991 (Cantor & Coleman II Project) (the "Bonds"); and

WHEREAS, pursuant to the Loan Agreement, the Partnership executed and delivered to the Issuer a promissory note dated July 31, 1991, in the principal amount of \$3,215,000 (the "Partnership Note"); and

WHEREAS, the Bonds were issued under a Trust Indenture between the Issuer and Peoples Bank & Trust Company, as trustee (the "Trustee"), dated as of July 1, 1991 (the "Indenture"), pursuant to which the Issuer assigned to the Trustee all right, title and interest of the Issuer in and to (i) the Revenues (as defined in the Indenture), including, without limitation, all Loan Payments (as defined in the Indenture) and other amounts receivable by or on behalf of the Issuer under the Loan Agreement in respect of repayment of the Loan (as defined in the Indenture); (ii) the Loan Agreement, except for the Unassigned Issuer's Rights (as defined in the Indenture); and (iii) the Partnership Note; and

WHEREAS, pursuant to the Indenture, the Issuer endorsed the Partnership Note, without recourse, to the Trustee; and

WHEREAS, on December 31, 1993, Coleman sold to Cantor and Cantor purchased from Coleman, the interest in the Partnership then owned by Coleman, pursuant to a Separation Agreement among Cantor, Coleman, Hamilton Displays, Inc. (the "Corporation") and the Partnership, dated December 31, 1993 (the "Separation Agreement") (such purchase and sale, and all other transactions described in or contemplated by the Separation Agreement, collectively, the "Dissolution"); and

WHEREAS, \$3,020,000 aggregate principal amount of the Bonds remains outstanding on the date hereof; and

WHEREAS, the Corporation, Daniel Cantor and Joel G. Coleman have requested that by an Assumption Agreement, that the Corporation be substituted for and in place of the Partnership as the Borrower (as defined in the Loan Agreement) under the Loan Agreement, with the same force and effect as though the Corporation, and not the Partnership, had originally executed and delivered the Loan Agreement as the Borrower thereunder; and

WHEREAS, the bondholder, Bank One, Indianapolis, NA (the "Bank"), has joined in the request and will consent thereto; and

WHEREAS, the Indianapolis Economic Development Commission on February 2, 1994 adopted a Resolution, which Resolution has been previously transmitted hereto finding that the execution of the Assumption Agreement in the form presented at that meeting complies with the purposes and provisions of the Act and that such execution will be of benefit to the health and welfare of the City of Indianapolis and its citizens, now therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the execution of the Assumption Agreement will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The form of the Assumption Agreement approved by the Indianapolis Economic Development Commission is hereby approved and shall be kept on file by the Clerk of the Council or City-Controller. Two (2) copies of the Assumption Agreement are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Mayor and City Clerk are authorized and directed to execute the Assumption Agreement approved herein and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed, on behalf of the City of Indianapolis. The Mayor and City Clerk may by their execution of the Assumption Agreement approve changes therein and also in any documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Commission if such changes do not affect terms set forth in IC 36-7-12-27(a)(1) through (a)(10).

SECTION 4. The provisions of this ordinance, the Assumption Agreement shall constitute a contract binding between the City of Indianapolis and the parties to the Assumption Agreement, and after the execution of the Assumption Agreement, this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such party so long as said Assumption Agreement shall remain in effect.

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 105, 1994. Councillor Borst reported that the Economic Development Committee heard Proposal No. 105, 1994 on February 17, 1994. The proposal is an inducement resolution for Enterprise Housing Brookside, Inc. in a amount not to exceed \$1,500,000 for the acquisition and renovation of the existing 140 unit multifamily residential rental project known as Brookside Courts Apartments located at 1840 Perkins Avenue. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Franklin, for adoption. Proposal No. 105, 1994 was adopted on the following roll call vote; viz:

*28 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

*0 NAYS:*

*1 NOT VOTING: Jones*

Proposal No. 105, 1994 was retitled SPECIAL RESOLUTION NO. 14, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 14, 1994

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or directly owned by the company;

WHEREAS, Enterprise Housing--Brookside, Inc. (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities consist of the acquisition, construction, renovation, installation and equipping of the existing 140 unit multifamily residential rental project known as Brookside Courts Apartments located at 1840 Perkins Avenue, Indianapolis, Indiana on approximately



3 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, renovation, construction and installation of various site improvements at the facility (the "Project");

WHEREAS, the diversification of industry and the retention of opportunities for gainful employment (four (4) jobs at the end of one year and three years plus the creation of a construction job payroll over the renovation period) and the creation of business opportunities to be achieved by the acquisition, construction, renovation, installation and equipping of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, having received the advice of the Indianapolis Economic Development Commission, it would appear that the financing of the Project would be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, the acquisition, construction, renovation, installation and equipping of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the retention and creation of opportunities for gainful employment within the jurisdiction of the Issuer, is desirable, serves a public purpose, and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage the diversification of industry, the retention and creation of business opportunities, and the creation of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, construction, renovation, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, construction, renovation, installation and equipping of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, renovation, installation and equipping of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires August 31, 1994, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) if applicable, the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the date which is sixty (60) days prior to the adoption of this resolution, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included



as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the same purpose. Also certain indirect expenses incurred prior to such date will be permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (TD 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Section 1.150-2.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 106, 1994. Councillor Borst reported that the Economic Development Committee heard Proposal No. 106, 1994 on February 17, 1994. The proposal amends and supplements Special Ordinance No. 14, 1993, relating to the issuance of City of Indianapolis, Indiana Multifamily Housing Revenue Bonds (Sunrise Apartments Project located at 4514 Candletree Circle) Series A, B and C in the total aggregate principal amount not to exceed \$6,000,000. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Jones, for adoption. Proposal No. 106, 1994 was adopted on the following roll call vote; viz:

*26 YEAS: Beadling, Black, Borst, Boyd, Brents, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

*0 NAYS:*

*3 NOT VOTING: Coughenour, Gray, Jones*

Proposal No. 106, 1994 was retitled SPECIAL ORDINANCE NO. 2, 1994 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 2, 1994

A SPECIAL ORDINANCE amending City-County Special Ordinance No. 14, 1994 relating to the issuance by the City of Indianapolis of its "Multifamily Housing Revenue Bonds (Sunrise Apartments Project) Series A, Taxable Series B, and Series C" in an aggregate principal amount not to exceed \$6,000,000 and approving and authorizing other actions in respect thereto.

WHEREAS, the City-County Council of the City of Indianapolis and of Marion County (the "City-County Council") has heretofore, on November 22, 1993, adopted Special Ordinance No. 14, 1993 entitled "A Special Ordinance Authorizing the City of Indianapolis to issue its "Multifamily Housing Revenue Bonds (Sunrise Apartments Project) Series A, Taxable Series B, and Series C" in an aggregate principal amount not to exceed \$6,000,000 and approving and authorizing other actions in respect thereto (the "Special Ordinance"); and

WHEREAS, the City-County Council, pursuant to the Special Ordinance, previously approved the final forms of the Loan Agreement, Indenture, Regulatory Agreement, Bond Purchase Agreement, Preliminary Official Statement, Preliminary Confidential Placement Memorandum, and the form of the Multifamily Housing Revenue Bonds (Sunrise Apartments Project) Series A, Taxable Series B, and Series C (collectively, the "Bonds") (hereinafter referred to collectively as the "Financing Documents") and;

WHEREAS, the Financing Documents provided for the Series C bonds to be issued in minimum denominations of \$100,000 and it is now desired that the Series C bonds be issued in minimum denominations of \$5,000; and

WHEREAS, the Indianapolis Economic Development Commission (the "Commission") on February 9, 1994, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the denomination provisions set forth in the Financing Documents should be amended with respect to the Series C bonds; and

WHEREAS, the Commission has approved the final form of a First Amendment to Trust Indenture (the "First Amendment"), dated as of February 1, 1994, by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

February 28, 1994

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The form of the First Amendment is hereby approved and such First Amendment shall be kept on file by the Clerk of the Council or City Controller. Two (2) Copies of the First Amendment are on file in the office of the Clerk of the Council for public inspection.

SECTION 2. The Mayor and City Clerk are authorized and directed to execute those Financing Documents, including the First Amendment, approved herein which require the signature of the Mayor and City Clerk and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be facsimile signatures. The City Clerk and City Controller are authorized to arrange for the delivery of such Bonds to the purchaser, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 3. The provisions of this ordinance and the First Amendment shall constitute a contract binding between the Issuer and the holder or holders of the Bonds and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with Indiana Code 36-3-4-14.

PROPOSAL NOS. 130-134, 1994. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on February 23, 1994."

Councillor Dowden made the following motion:

Mr. President:

I move that Proposal No. 130, 1994 (Rezoning Petition No. 93-Z-157) be scheduled for a hearing before this Council at its next regular meeting on March 21, 1994 at 7:00 p.m. and that the Clerk read the announcement of such hearing and enter same in the minutes of this meeting.

Councillor Schneider seconded the motion and it passed by unanimous voice vote. Proposal No. 130, 1994 is identified as follows:

93-Z-157 LAWRENCE TOWNSHIP. COUNCILMANIC DISTRICT # 4.  
7990 CASTLETON ROAD (approximate address), INDIANAPOLIS.

M & R PARTNERSHIP, by Brian J. Tuohy, requests the rezoning of 18.422 acres, being in the I-2-S District, to the C-5 classification to provide for a family entertainment center.

Mr. Elrod read the following announcement:

This Council will hold a public hearing on Rezoning Petition No. 93-Z-157, Council Proposal No. 130, 1994, at its next regular meeting on March 21, 1994, such meeting to convene at 7:00 p.m. in these Council Chambers in the City-County Building in Indianapolis. This petition proposes to rezone 18.422 acres at 7990 Castleton Road from I-2-S to C-5 classification to provide for a family entertainment center.

Written objections that are filed with the Clerk of the Council shall be heard at such time, or the hearing may be continued from time to time as found necessary by the Council.

The Council did not schedule Proposal Nos. 131-134, 1994 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 131-134, 1994 were retitled REZONING ORDINANCE NOS. 22-25, 1994 and are identified as follows:



REZONING ORDINANCE NO. 22, 1994. 94-Z-7 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 22.

1602-1624 NORTH NEW JERSEY STREET (approximate address) INDIANAPOLIS.  
HENRY L. JOHNSON, by Michael D. Keele, requests the rezoning of 0.86 acre, being in the C-4 District, to the D-8 classification to provide for single-family residential dwellings.

REZONING ORDINANCE NO. 23, 1994. 94-Z-13 (Amended) WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 18.

7791 CRAWFORDSVILLE ROAD, (approximate address), INDIANAPOLIS.  
INDIANAPOLIS POWER AND LIGHT COMPANY, by Robert C. Crews II, requests the rezoning of 4.6 acres, being in the SU-43 (FF) and SU-8 (FF) Districts, to the SU-18 (FF) classification to provide for an electrical substation.

REZONING ORDINANCE NO. 24, 1994. 94-Z-18 WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 19.

1451 SOUTH GIRLS SCHOOL ROAD (approximate address), INDIANAPOLIS.  
E.J. BILL SIMPSON, by William V. Barteau, requests the rezoning of 11.7 acres, being in the D-6II District, to the I-2-S classification to provide for construction of light manufacturing, office and warehouse facilities.

REZONING ORDINANCE NO. 25, 1994. 94-Z-19 LAWRENCE TOWNSHIP.  
COUNCILMANIC DISTRICT # 4.

7340 EAST 86TH STREET (approximate address), INDIANAPOLIS.  
EPI PRINTERS, INC. requests the rezoning of 4.99 acres, being in the C-1 District, to the C-S classification to provide for construction of a building for printing operations.

Councillor Coughenour stated that Proposal No. 117, 1994, dealing with the collection of grass, will affect everyone. She asked the Councillors for their suggestions and comments concerning public hearings on the proposal.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 22, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 22, 1994 on February 9 and 28, 1994. The proposal appropriates \$3,059,900 for the Department of Administration, Indianapolis Fleet Services Division, to purchase replacement vehicles for its fleet. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:00 p.m.

Jack D. Clark, Indianapolis citizen, voiced his concern with the economic condition of Center Township.

Councillor Rhodes moved, seconded by Councillor Coughenour, for adoption. Proposal No. 22, 1994 was adopted on the following roll call vote; viz:

*29 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
*0 NAYS:*

Proposal No. 22, 1994 was retitled FISCAL ORDINANCE NO. 3, 1994 and reads as follows:



February 28, 1994

CITY-COUNTY FISCAL ORDINANCE NO. 3, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Three Million Fifty-nine Thousand Nine Hundred Dollars (\$3,059,900) in the Consolidated County Fund for purposes of the Department of Administration, Indianapolis Fleet Services Division, and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Administration, Indianapolis Fleet Services Division, to purchase replacement vehicles for its fleet.

SECTION 2. The sum of Three Million Fifty-nine Thousand Nine Hundred Dollars (\$3,059,900) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF ADMINISTRATION  
INDIANAPOLIS FLEET SERVICES

4. Capital Outlay  
TOTAL INCREASE

CONSOLIDATED COUNTY FUND

\$3,059,900  
\$3,059,900

SECTION 4. The said additional appropriations are funded by the following reductions:

Unappropriated and Unencumbered  
Consolidated County Fund  
TOTAL REDUCTION

CONSOLIDATED COUNTY FUND

\$3,059,900  
\$3,059,900

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 26, 1994. The proposal appropriates \$8,413 for the Superior Court, Criminal Division, Room Five, to fund an additional clerk's position. Councillor Dowden asked for consent to postpone Proposal No. 26, 1994 until March 21, 1994. Consent was given.

PROPOSAL NO. 71, 1994. The proposal appropriates \$652,500 for the Department of Administration, Administrative Services Division, to finance the Neighborhood Revitalization Initiative program funded by private foundation grants. Councillor Rhodes asked for consent to postpone Proposal No. 71, 1994 until March 21, 1994. Consent was given.

**SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 634, 1993. The proposal appoints David Mark Howell to the Marion County Animal Control Board. Councillor Dowden asked for consent to strike Proposal No. 634, 1993. Consent was given.

PROPOSAL NO. 655, 1993. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 655, 1993 on January 5, February 2 and 23, 1994. The proposal, sponsored by Councillors Beadling, Gilmer, McClamroch, Moriarty Adams, Short and SerVaas, amends the Code concerning numbering buildings. By a 8-1 vote on February 23, 1994, the Committee reported the proposal to the Council with the

recommendation that it do pass as amended. Councillor Dowden moved, seconded by Councillor Beadling, for adoption.

Councillor Black moved to amend Proposal No. 655, 1993, Sec. 28-306, by increasing the size of numbers used on residences from three inches to four inches. Councillor Boyd seconded the motion.

Councillor McClamroch stated that the motion is out of order because it is not in writing.

Councillors Coughenour and Schneider both voiced their opposition to Councillor Black's amendment.

Councillor Black withdrew his motion, and Councillor Boyd withdrew his second to the motion.

Proposal No. 655, 1993, as amended, was adopted on the following roll call vote; viz:

*26 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

*1 NAY: Franklin*

*2 NOT VOTING: Rhodes, Williams*

Proposal No. 655, 1993, as amended, was retitled GENERAL ORDINANCE NO. 18, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 13, 1994

A GENERAL ORDINANCE amending Chapter 28, Article VI, concerning numbering buildings, to change the responsibility for determining address numbers and to change the enforcement provisions for failure to post building numbers.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Chapter 28, Article VI, of the Code of Indianapolis and Marion County, Indiana, is hereby amended by inserting the language underlined and deleting the language stricken-through as follows:

ARTICLE VI. NUMBERING BUILDINGS.

Sec. 28-298. Base lines for numbering.

(a) All lots, houses or buildings located on the north and south directional streets, or on streets running approximately in a northerly or southerly direction, shall be numbered from Washington Street and a continuation of the line of Washington Street in an east and west direction, as a base line, to Rockville Road at 3500 west whereupon Rockville Road becomes the baseline, beginning with number 1 at the north line of Washington Street and increasing towards the north, and beginning with number 1 at the south line of Washington Street and increasing towards the south.

(b) All lots, houses or buildings located on east and west directional streets, or on streets running approximately in an easterly or westerly direction, shall be numbered from Meridian Street, and a continuation of the line of Meridian Street in a north and south direction, as a base line, beginning with number 1 at the east line of Meridian Street and increasing towards the east, and beginning with number 1 at the west line of Meridian Street and increasing towards the west.



Sec. 28-299. Directional initials.

(a) All north and south streets, or streets running in a northerly and southerly direction, and so provided by this article to be numbered on the north and south house numbering basis, shall bear the prefix "N." or "S." according to their location with reference to Washington Street.

(b) All east and west streets, or streets running in an easterly or westerly direction, and so provided to be numbered by this article on the east and west house numbering basis, shall bear the prefix "E." or "W." according to their location with reference to Meridian Street.

Sec. 28-300. Allocations of block numbers.

(a) There shall be assigned by the ~~board of public works~~ metropolitan development department, or under its direction, to each mile on all streets within the city, eight hundred (800) to one thousand (1,000) numbers, or approximately one hundred (100) numbers to each one-eighth to one-tenth of a mile, representing the average length of city blocks. Such numbers, in the second and subsequent blocks, or in sections thereof, if not intersected by any street for two (2) or more blocks, shall be changed from one hundred (100) to the succeeding hundred at the intersecting street, if any, nearest the one-eighth to one-tenth of a mile line, or at such intervals where there are no intersecting or entering streets.

(b) Avenues and diagonal streets shall take numbers for each block to correspond, as nearly as practicable, with those indicating the distance north or south, or east or west, of streets intersecting said avenues or diagonal streets.

Sec. 28-301. Utilization of odd and even numbers.

(a) The even numbers on north and south streets, or streets running in a northerly or southerly direction, shall be on the west side of the streets. The even numbers on east and west streets, or streets running in an easterly or westerly direction, shall be on the north side of the streets.

(b) The odd numbers shall be respectively on the east or south sides of all streets.

Sec. 28-302. Assignment of number.

There shall be assigned by the ~~board of public works~~ metropolitan development department, or under its direction, to each lot, part of a lot or parcel of land, or to each residence, apartment building or place of business, its legal number, selected from one or more numbers assigned to any lot.

Sec. 28-303. Notice of assigned number.

The ~~board of public works~~ metropolitan development department, upon request, shall inform the owner, ~~agent or person in possession~~ of any premises as to the proper number thereof.

Sec. 28-304. Display.

(a) A building number assigned pursuant to this article ~~shall be prominently displayed on the premises only on improved public and private lots and parcels, and such building numbers shall be displayed only on improvements erected on such lot or parcel of land.~~ needs to be displayed on the premises only on improved public and private lots and parcels, and such building numbers shall be displayed only on improvements erected on such lot or parcel of land. posted so that the number can readily be seen from the street:

(1) on the building, on or near the main entrance door, and/or

(2) on a decorative display, painted on a street curb or mailbox near the street, but identifiable as being associated with its corresponding house or business.

(b) Businesses that regularly use a back door for deliveries or customers shall also display the proper building number on or near that secondary entrance.

(c) Any dwelling that abuts an alley that is used by motor vehicles must not only display its building number on the front, but also display its building number visible from the back alley side of the property.



Sec. 28-305. Acquisition of numerals.

All numerals used to comply with this article, unless provided by the city, shall be acquired at the cost of, and shall be placed and maintained by, the owner or occupant of the premises in a conspicuous place on or near the entrance to the building to which they are to be attached, or on the premises where readily visible; however, ~~the board of public works~~ metropolitan development department, in its discretion, may furnish all or any of such numbers free, or at the cost thereof, or may require the owner of each lot or parcel to do so at ~~his~~ the owner's own cost.

Sec. 28-306. Size of numerals.

Each of the numerals of building numbers shall be kept legible. Those used for a residence or apartment building shall be not less than three (3) inches in height, and those used for a store or place of business shall be not less than four (4) inches in height, unless otherwise ordered or permitted by the ~~board of public works~~ metropolitan development department.

Sec. 28-307. Replacement of numerals.

When numerals representing building numbers are removed or become illegible, or if the ~~board of public works~~ metropolitan development department so requires, such numerals shall be renewed or replaced by the owner or occupant of the premises.

Sec. 28-308. Adjustment of numbers.

It shall be the duty of the ~~board of public works~~ metropolitan development department to adjust and reassign building numbers in all cases where there is a mistake or conflict in the numbers.

Sec. 28-309. Change of numbers.

Whenever any house or building has been numbered or renumbered in accordance with the provisions of this article, the number shall not be changed or altered without application to and consent of the ~~board of public works~~ metropolitan development department.

Sec. 28-310. Violations and enforcement.

(a) It shall be the duty of the owner, ~~agent or person in possession~~ of any building in the city to comply with all provisions of this article relating to the placing and maintaining of a building number.

(b) Any person, being the owner, ~~occupant, agent or person in possession~~ of any building in the city, who ~~for thirty (30) days~~ neglects or refuses to place or to maintain the proper number for any public or private building owned, managed or occupied by ~~him~~ such person in conformity with the provisions of this article, after being assigned a number and ~~thereby being notified by the board of public works to do so, upon conviction, shall be fined five dollars (\$5.00), and a further penalty of not exceeding ten dollars (\$10.00) shall be imposed for each thirty (30) days thereafter that he shall neglect or refuse to number such building; and the board of public works may arrange with the postmaster to discontinue mail deliveries to such premises while the such violation continues.~~ shall be in violation of this article.

(c) The provisions of this article requiring numerals to be on buildings may be enforced by any public safety officer including reserves and volunteers acting in their official capacity, and by designated employees of the city departments of metropolitan development, public works and capital asset management acting in their official capacity.

(d) Monies collected from the enforcement of this article shall be remitted to the department or agency that instituted the enforcement action, minus reasonable processing expenses, no less frequent than semiannually.

Sec. 28-311. Penalties.

(a) The first premises address violation in any calendar year shall be subject to a written warning explaining how to correct the violation and explaining subsequent violation penalties.

(b) A second premises address violation in any calendar year after thirty (30) days of the warning shall be subject to admission of violation and payment of the designated civil penalty through the ordinance violations bureau in accordance with Chapter 103 of the Revised Code of the Consolidated City and County.

(c) All subsequent violations in the calendar year are subject to the enforcement procedures and penalties provided in Sec. 1-8 of the Code of Indianapolis and Marion County, Indiana.

SECTION 2. Sec. 103-52 of the Revised Code of the Consolidated City and County, be, and is hereby, amended by inserting the underlined text, to read as follows:

Sec. 103-52. Schedule of Code Provisions and Penalties. The following code (or ordinance) provisions and respective civil penalties are designated for enforcement through the ordinance violations bureau:

<u>Code</u> <u>Section</u>	<u>Subject Matter</u>	<u>Civil</u> <u>Penalty</u>
4-71	Open burning	50.00
6-4	Animal at large - 1st offense in calendar year	50.00
6-71	Unlicensed dog - 1st offense in calendar year	50.00
6-150	Unvaccinated dog or cat - 1st offense in calendar year	50.00
7-20	Swimming in unguarded waters - 1st offense in calendar year	50.00
17-151	Sale of tobacco products without license - 1st offense	45.00
17-154	Prohibited distributions of tobacco products - 1st offense	45.00
17-780	Unlicensed transient merchant - 1st offense in calendar year	50.00
17½-8	Littering on premises of another	45.00
17½-17	Vehicle losing its load - 1st offense in calendar year	50.00
18-2	Unlawful noise - 1st offense in calendar year	50.00
20-9	Loitering - 1st offense in calendar year	50.00
20-46	Noisy house - 1st offense in calendar year	50.00
21½-14	3rd false alarm in calendar year	20.00
21½-14	4th false alarm in calendar year	30.00
21½-14	5th through 7th false alarm in calendar year	40.00
22-2	In park after hours - 1st offense in calendar year	50.00
22-9	Alcohol in park - 1st offense in calendar year	50.00
28-16	Parking prohibited for street repairs and cleaning	12.50
<u>28-311</u>	<u>Premises address violation - 2nd offense in calendar year</u>	<u>25.00</u>
29-8	Pedestrian violations	12.50
29-27	Parking when temporarily prohibited	12.50
29-97	Display of unauthorized traffic controls	12.50
29-98	Interference with traffic control devices	12.50
29-123	Unlawful use of horn or sounding device	15.00
29-223	Unlawfully parked trailer	12.50
29-252	Unlawful parking on sidewalk, in crosswalk, or adjacent yard	25.00
29-253	Unlawful parking in certain school areas	12.50
29-254	Unlawful manner of parking	12.50
29-255	No required lights on certain parked vehicles	12.50
29-256.1	Violation of handicapped parking restrictions	45.00
29-256.2	Unlawful parking in handicapped parking meter zone	45.00
29-257	Unloading perpendicular to curb without permit	12.50
29-258	Unlawful use of bus stops and taxicab stand	12.50
29-259	Unlawful use of passenger and loading zones	12.50
29-260	Unlawful parking adjacent to certain buildings	12.50
29-262	Unlawful parking for display for sale or advertising	12.50
29-263	Unlawful parking for more than 6 hours	12.50
29-264	Unlawful parking of commercial vehicles at night	12.50
29-265	Unlawful parking in alleys or on certain narrow streets	12.50
29-266	Unlawful parking in designated special parking areas	12.50
29-267	Parking on certain streets where prohibited at all times	12.50
29-268	Stopping, standing or parking on streets where prohibited at all times	12.50
29-269	Parking on certain streets where prohibited at all times on certain days	12.50
29-270	Parking on certain streets when prohibited at certain times on certain days	12.50



29-271	Stopping, standing or parking during prohibited hours on certain days on certain streets. If between hours of 6:00 a.m. - 9:00 a.m., 7:00 a.m. - 9:00 a.m., 3:00 p.m. - 6:00 p.m., 4:00 p.m. - 6:00 p.m.	25.00
29-272	Parking longer than permitted on certain streets at certain times on certain days	12.50
29-284	Parking in excess of time permitted in parking meter zone	12.50
29-291	Parking in meter zone when temporarily prohibited	12.50
29-297	Overtime parking in metered parking space	12.50
29-321	Unlawful parking during snow emergency	25.00
29-335	Leaving taxicab unattended	12.50
29-336	Unlawful parking of bus or taxicab	12.50
29-337	Unlawful parking in certain mailbox zones	12.50
29-341	Unlawful stopping, standing or parking near fire hydrant	45.00
29-342	Unlawful obstruction of fire lane	25.00
29-398	Unlawful loading or unloading of private bus	12.50
29-400	Unlawfully stopping of food vendor vehicle	12.50
29-401	Violation of noise restriction on food vendors	12.50
29-403	Failure of food vending vehicle to display required warnings	12.50
29-403.2	Unlawful vending for other than curb side of vending vehicle	12.50
29-406	Operation of bicycle without required equipment	12.50
29-407	Unlawful operation of bicycle	12.50
29-424	Operation of unregistered bicycle	7.50
29-440	Consumption or possession by operator of motor vehicle - 1st offense in calendar year	50.00
29-441	Operating motor vehicle containing open alcoholic beverages 1st offense in calendar year	50.00

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 687, 1993. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 687, 1993 on February 23, 1994. The proposal amends the Code to provide for the use of automated ordinance violation citations. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Don Waterman, Administrator, Parking Management Division, Department of Capital Asset Management, said that the computer system will help to upgrade the service and efficiency of the Ordinance Violations Bureau, and there will be administrative savings with the purchase of hand-held meter ticket writers.

Councillor Gilmer moved, seconded by Councillor Williams, for adoption. Proposal No. 687, 1993 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
1 NAY: *Black*

Proposal No. 687, 1993 was retitled GENERAL ORDINANCE NO. 19, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 19, 1994

A General Ordinance amending the Code to provide for the use of automated ordinance violation citations.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL  
OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Chapter 103 of the Code of Indianapolis and Marion County is amended by deleting the stricken through text and inserting the underlined text to read as follows:



Sec. 103-53. Late charges.

If a violation subject to the procedures in this article is admitted more than seven (7) days after issuance of the complaint citation, the ordinance violations bureau shall add a late charge of five dollars (\$5.00) per violation to the amount otherwise payable under this article and shall accept such payment if the violation has not been referred to the legal division and may accept such payment with consent of the legal division if the violation has been referred to the legal division.

Sec. 103-54. Notice, manual and automated complaints and summons ordinance violation citations.

Any official, authorized to issue complaints and summons citations for violations scheduled in this article, shall at the time of giving notice of such violation advise the alleged violator that such violation may be admitted and, if admitted, is subject to payment of a fixed civil penalty under this article. Such information may be printed on such notice, complaint or summons citation. A copy of the manual complaint or summons citation shall be filed with the ordinance violations bureau by the issuing official no later than noon of the next business day following its issuance. The automated citation data shall be transferred to the main computer system in the ordinance violations bureau. Failure to file the complaint or summons citation or transfer the data shall not affect its validity or the alleged violator's option to admit the violation and pay the fixed civil penalty.

Sec. 103-55. Form of manual and automated complaint and summons ordinance violation citations.

(a) For violations subject to the procedures of this article, the manual complaint and summons citation shall be serially numbered, executed in triplicate and contain the following information:

- (1) The date and time of issuance.
- (2) The specific violation of which complaint citation is made.
- (3) The date and location of the violation.
- (4) The name and address of the person alleged to have committed the violation, if known or readily obtainable.
- (5) The license plate number of the motor vehicle and the name and address of its owner, if the violation involves a motor vehicle and the owner's name and address are known.
- (6) The signature of the official issuing the complaint citation.
- (7) The badge number, if any, of the official.
- (8) The duty of the alleged violator to appear.

(b) For violations subject to the procedures of this article, the automated citation shall be restricted to parking violations and comply with the requirements in subsection (a), except as provided below:

- (1) The automated ticket writing device shall produce a single citation with the data from the citation being transferred to the main computer system in the ordinance violations bureau.
- (2) The automated citation shall not contain the signature of the official issuing the citation, but shall contain the officer's name and code number in computer generated form.
- (3) The automated citation shall contain the license plate number of the vehicle and may contain other information, including vehicle information or the owner's name and address, if known.

Sec. 103-56. Service of complaint citation.

A complaint citation of a violation subject to this article shall be served by the issuing official upon the alleged violator; service may be as follows:

- (1) If the alleged violator is present, it shall be delivered personally to the alleged violator.

- (2) If the alleged violator is not present and the violation involves specific premises, it shall be served on the owner or other person in possession of the premises either in person or by certified mail, return receipt requested.
- (3) If the alleged violator is not present and the violation involves a motor vehicle, it shall be delivered either to any competent person in possession or in charge of the motor vehicle or, if no such person is present, to the owner or operator of the motor vehicle by posting or attaching the written ~~complaint and notice~~ citation in a conspicuous space upon the vehicle.

Sec. 103-57. Duty to appear.

Any person upon whom a ~~complaint and summons are~~ citation is issued pursuant to this article shall appear in person or by attorney at the ordinance violations bureau, or such other place as is approved by the violations clerk, to either admit or deny the violation within seven (7) days of the date of issuance of the ~~complaint~~ citation.

Sec. 103-59. Procedure on denial of violation, failure to appear or failure to pay.

If a person upon whom a ~~complaint and summons are~~ citation is served pursuant to this article:

- (1) Appears and denies the violation; or
- (2) Fails to appear and either admit or deny the violation within ten (10) days of issuance of the ~~complaint and summons~~ citation; or
- (3) Fails to pay the specified civil penalty within seven (7) days after admitting the violation;

the violations clerk shall report such circumstances to the legal division for appropriate court proceedings against such person.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NOS. 77, 78, 79, 80, 81, 82, 83, 84, 85 and 86, 1994. Councillor Gilmer asked for consent to vote on these ten transportation proposals together. Consent was given. PROPOSAL NO. 77, 1994. The proposal amends the Code by authorizing intersection controls for Southern Lakes subdivision (District 23). PROPOSAL NO. 78, 1994. The proposal amends the Code by authorizing intersection controls for Hartman Farms subdivision (District 12). PROPOSAL NO. 79, 1994. The proposal amends the Code by authorizing intersection controls for Admirals Bay subdivision (District 5). PROPOSAL NO. 80, 1994. The proposal amends the Code by authorizing intersection controls for Oakforge Lakes subdivision (District 9). PROPOSAL NO. 81, 1994. The proposal amends the Code by authorizing intersection controls for the Chestnut Hills subdivision (District 1). PROPOSAL NO. 82, 1994. The proposal amends the Code by authorizing a multi-way stop at McFarland Boulevard and Poppyseed Drive (District 24). PROPOSAL NO. 83, 1994. The proposal amends the Code by authorizing a multi-way stop at Cricklewood Road and 65th Place (District 4). PROPOSAL NO. 84, 1994. The proposal amends the Code by authorizing a



multi-way stop at Lee Road and 63rd Street (District 5). PROPOSAL NO. 85, 1994. The proposal amends the Code by authorizing a multi-way stop at Avalon Lane, Hillcrest Country Club Road, and Hillcrest Lane (District 4). PROPOSAL NO. 86, 1994. The proposal amends the Code by authorizing a multi-way stop at Delaware Street and 55th Street (District 7). Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 77, 78, 79, 80, 81, 82, 83, 84, 85 and 86, 1994 on February 23, 1994. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Smith, for adoption. Proposal Nos. 77, 78, 79, 80, 81, 82, 83, 84, 85 and 86, 1994, were adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

0 NAYS:

2 NOT VOTING: *Gilmer, Williams*

Proposal No. 77, 1994 was retitled GENERAL ORDINANCE NO. 20, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 20, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
48, Pg. 1	Cheri Ci & Janel Dr	Janel Dr	Yield
48, Pg. 1	Cheri Ct & Janel Dr	Janel Dr	Yield
48, Pg. 1	Connie Ct & Connie Dr	Connie Dr	Yield
48, Pg. 1	Connie Dr & Jacklyn Dr	Jacklyn Dr	Stop
48, Pg. 2	Gunyon Way, Janel Ct & Janel Dr	Gunyon Way	Stop
48, Pg. 2	Janel Ci & Janel Dr	Janel Dr	Yield
48, Pg. 2	Jacklyn Dr & Janel Dr	Janel Dr	Stop
48, Pg. 2	Janel Dr & Mari Ann Ct	Janel Dr	Yield
48, Pg. 2	Janel Dr & Sally Ann Ci	Janel Dr	Stop

48, Pg. 2	Janel Dr & Stop 11 Rd	Stop 11 Rd	Stop
48, Pg. 2	Sally Ann Ci & Sally Ann Ct	Sally Ann Ci	Yield

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 78, 1993 was retitled GENERAL ORDINANCE NO. 21, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 21, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
28, Pg. 1	Breta Ct & Paul Dr	Paul Dr	Yield
28, Pg. 1	Cumberland Rd & Hartman Dr	Cumberland Rd	Stop
28, Pg. 2	Hartland Dr & Paul Dr	Hartland Dr	Stop
28, Pg. 2	Hartland Dr & Winding Hart Dr	Hartland Dr	Stop
28, Pg. 2	Holz Dr & Winding Hart Dr	Winding Hart Dr	Stop
28, Pg. 2	Holz Dr & Paul Dr	Paul Dr	Stop
28, Pg. 2	Paul Dr & Tapp Dr	Tapp Dr	Stop
28, Pg. 2	Tapp Dr & Winding Hart Dr	Winding Hart Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 79, 1994 was retitled GENERAL ORDINANCE NO. 22, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 22, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:



February 28, 1994

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
50, Pg. 1	Anchor Bay Ct, Anchor Bay Dr, Old Stone Dr	Old Stone Dr	Stop
50, Pg. 1	Anchor Bay Dr, Anchor Mark Dr	Anchor Bay Dr	Stop
50, Pg. 1	Anchor Bay Dr, Bay Run Ct, Bay View Ci	Anchor Bay Dr	Stop
50, Pg. 1	Admirals Bay Dr, Anchorage Dr	Admirals Bay Dr	Stop
50, Pg. 1	Admirals Bay Dr, Moon River Ct, Silver Bay Ci	Admirals Bay Dr	Stop
50, Pg. 1	Anchorage Dr, Seaway Ci	Anchorage Dr	Yield
50, Pg. 1	Anchorage Dr, Sydney Bay Ct	Anchorage Dr	Yield
50, Pg. 1	Anchorage Dr, Voyager Ct	Anchorage Dr	Yield
50, Pg. 1	Bay Forrest Dr, County Line Rd	County Line Rd	Stop
50, Pg. 1	Bay Forrest Dr, Shorevista Dr	County Line Rd	Stop
50, Pg. 1	Anchor Mark Dr, Bay Port Ci	Anchor Mark Dr	Yield
50, Pg. 1	Bay Pointe Ci, Bay Pointe Way, Old Stone Dr	Old Stone Dr	Stop
50, Pg. 1	County Line Rd, Old Stone Dr	County Line Rd	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 80, 1994 was retitled GENERAL ORDINANCE NO. 23, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 23, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9, Pg. 3	Georgetown Rd & Oakforge Dr	Georgetown Rd	Stop
9, Pg. 4	Oakforge Dr & Pine Forge Ci	Oakforge Dr	Yield
9, Pg. 4	Oakforge Dr & Sycamore Forge Dr	Oakforge Dr	Stop
9, Pg. 4	Sycamore Forge Ct, Sycamore Forge Dr	Sycamore Forge Dr	Yield
9, Pg. 4	Oakforge Dr & Sycamore Forge Ln	Oakforge Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 81, 1994 was retitled GENERAL ORDINANCE NO. 24, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 24, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9, Pg. 1	Appaloosa Way, Chestnut Hills Blvd, Palomino Run	Chestnut Hills Blvd	Stop
9, Pg. 2	Chestnut Hills Blvd, Marsh Rd	Marsh Rd	Stop
9, Pg. 2	Chestnut Hills Blvd, Tennessee Walk	Chestnut Hills Blvd	Yield
9, Pg. 2	Chestnut Hills Blvd, Yearling Run	Chestnut Hills Blvd	Yield

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 82, 1994 was retitled GENERAL ORDINANCE NO. 25, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 25, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:



SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
47, Pg. 3	McFarland Blvd & Poppyseed Dr	McFarland Blvd	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
47, Pg. 3	McFarland Blvd & Poppyseed Dr	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 83, 1994 was retitled GENERAL ORDINANCE NO. 26, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 26, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
12, Pg. 3	Cricklewood Rd & 65th Pl	65th Pl	Yield

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
12, Pg. 3	Cricklewood Rd & 65th Pl	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 84, 1994 was retitled GENERAL ORDINANCE NO. 27, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 27, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
14, Pg. 2	Lee Rd & 63rd St	Lee Rd	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
14, Pg. 2	Lee Rd & 63rd St	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 85, 1994 was retitled GENERAL ORDINANCE NO. 28, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 28, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
12, Pg. 1	Avalon Ln, Hillcrest Country Club Rd & Hillcrest Ln	None	All Way Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 86, 1994 was retitled GENERAL ORDINANCE NO. 29, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 29, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 5	Delaware St & 55th St	Delaware St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:



February 28, 1994

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 5	Delaware St & 55th St	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 88, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 88, 1994 on February 23, 1994. The proposal amends the Code by adding and deleting parking restrictions on 30th Street (Districts 8, 9, 10, 22). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Williams, for adoption. Proposal No. 88, 1994 was adopted on the following roll call vote; viz:

*26 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

*0 NAYS:*

*3 NOT VOTING: Gilmer, O'Dell, Williams*

Proposal No. 88, 1994 was retitled GENERAL ORDINANCE NO. 30, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 30, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-267, Parking prohibited at all times on certain streets; and Sec. 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. That the "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Sec. 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the deletion of the following, to wit:

Thirtieth Street, on the north side,  
from Illinois Street to 75 feet west of Illinois Street

Thirtieth Street, on the south side,  
from Illinois Street to 75 feet east of Illinois Street

Thirtieth Street, on the south side,  
from Graceland Avenue to Highland Place

Thirtieth Street, on both sides,  
from Arlington Avenue to Shadeland Avenue

Thirtieth Street, on both sides,  
from Dequincy Street to Arlington Avenue

Thirtieth Street, on both sides,  
from White River Bridge to Cold Springs Road

Thirtieth Street, on the north side,  
from Northwestern Avenue to Moller Road

Thirtieth Street, on the north side,  
from White River Parkway to Forest Manor

*Journal of the City-County Council*

Thirtieth Street, on the south side,  
from Riverside Avenue to Harding Street (north leg)

Thirtieth Street, on the south side,  
from Riverside Avenue to Moller Road

SECTION 2. That the "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Sec. 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be, and the same is hereby amended by the deletion of the following, to wit:

ON ANY DAY EXCEPT SATURDAY AND SUNDAY

*from 6:00 a.m. to 9:00 a.m. and  
from 3:00 p.m. to 6:00 p.m.*

Thirtieth Street, on the south side,  
from Capitol Avenue to Ruckle Street

Thirtieth Street, on the south side,  
from Guilford Avenue to Arsenal Avenue

*from 4:00 p.m. to 6:00 p.m.*

Thirtieth Street, on the south side,  
from White River Avenue to Martindale Avenue

ON ANY DAY EXCEPT SUNDAY

*from 6:00 a.m. to 9:00 a.m. and  
from 3:00 p.m. to 6:00 p.m.*

Thirtieth Street, on both sides,  
from Capitol Avenue to Arsenal Avenue

ON SUNDAY ONLY

*from 9:00 a.m. to 6:00 p.m.*

Thirtieth Street, on the south side,  
from Keystone Avenue to LaSalle Street

SECTION 3. That the "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Sec. 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the addition of the following, to wit:

Thirtieth Street, on the north side,  
from Guilford Street (south leg) to Moller Road

Thirtieth Street, on the north side,  
from Shadeland Avenue to Winthrop Street (north leg)

Thirtieth Street, on the south side,  
from Harding Street (north leg) to Moller Road

Thirtieth Street, on the south side,  
from Talbot Street to Ethel Avenue

Thirtieth Street, on the south side,  
from Winthrop Avenue (west leg) to Arsenal Avenue

Thirtieth Street, on the south side,  
from Ralston Avenue to Tacoma Street



February 28, 1994

Thirtieth Street, on the south side,  
from the first alley west of Sherman Drive  
to the first alley east of Sherman Drive

Thirtieth Street, on the south side,  
from Drexel Avenue to Shadeland Avenue

SECTION 4. That the "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Sec. 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be, and the same is hereby amended by the addition of the following, to wit:

ON ANY DAY EXCEPT SATURDAY AND SUNDAY  
*from 6:00 a.m. to 9:00 a.m. and*  
*from 3:00 p.m. to 6:00 p.m.*

Thirtieth Street, on both sides,  
from Guilford Avenue (south leg) to  
Winthrop Avenue (north leg)

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 89, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 89, 1994 on February 23, 1994. The proposal amends the Code by adding and deleting parking restrictions at various downtown locations (Districts 16, 22). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Williams, for adoption. Proposal No. 89, 1994 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Gray*

Proposal No. 89, 1994 was retitled GENERAL ORDINANCE NO. 31, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 31, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-267, Parking prohibited at all times on certain streets; Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets; Sec. 29-270, Parking prohibited during specified hours and certain days; Sec. 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours; and Sec. 29-283, Parking meter zones designated.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. That the "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Sec. 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the deletion of the following, to wit:

Alabama Street, on the east side,  
from Washington Street to Pearl Street

Virginia Avenue, on the south side,  
from East Street to Louisiana Street

Washington Street, on the north side,  
from Pennsylvania Street to Illinois Street

SECTION 2. That the "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby amended by the deletion of the following, to wit:

Alabama Street, on the east side,  
from Washington Street to Ohio Street

New Jersey Street, on the west side,  
from New York Street to Vermont Street

Pennsylvania Street, on the west side,  
from Washington Street to Court Street (east leg)

SECTION 3. That the "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Sec. 29-270, Parking prohibited during specified hours on certain days, be, and the same is hereby amended by the Deletion of the following, to wit:

ON ANY DAY EXCEPT SATURDAYS AND SUNDAYS  
*from 1:00 a.m. to 6:00 p.m.*

New York Street, on the north side,  
from Pennsylvania Street to East Street

East Street, on the east side,  
from Michigan Street to Ohio Street

East Street, on the west side,  
from Washington Street to South Street

Illinois Street, on the west side,  
from Market Street to Wabash Street

Illinois Street, on the west side,  
from Maryland Street to Court Street

Meridian Street, on both sides,  
from the north curblane of Monument Circle to Ohio Street

Meridian Street, on both sides,  
from Washington Street to the south curblane of Monument Circle

Michigan Street, on both sides,  
from Pennsylvania Street to New Jersey Street

Michigan Street, on the south side,  
from East Street to New Jersey Street

Michigan Street, on the north side,  
from Meridian Street to West Street

Michigan Street, on the south side,  
from West Street to Meridian Street

New York Street, on the north side,  
from West Street to Pierson Street

New York Street, on the south side,  
from Illinois Street to Meridian Street

*February 28, 1994*

New York Street, on the south side,  
from West Street to Senate Avenue

North Street, on both sides,  
from Delaware Street to Alabama Street

Pennsylvania Street, on the east side,  
from Ohio Street to a point 314 feet north of Ohio Street

South Street, on both sides,  
from Illinois Street to East Street

SECTION 4. That the "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Sec. 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be, and the same is hereby amended by the deletion of the following, to wit:

ON ANY DAY EXCEPT SATURDAYS AND SUNDAYS

*from 6:00 a.m. to 9:00 a.m. and  
from 3:00 p.m. to 6:00 p.m.*

Capitol Avenue, on the east side,  
from a point 205 feet north of Ohio Street  
to Washington Street

College Avenue, on the east side,  
from Market Street to Walnut Street

College Avenue, on the east side,  
from New York Street to Walnut Street

Dr. Martin Luther King Jr. Street, on both sides,  
from Twelfth Street to Sixteenth Street

Maryland Street, on the south side,  
from Capitol Avenue to 313 feet west of Delaware Street

Pennsylvania Street, on the west side,  
from Ohio Street to New York Street

Washington Street, on the south side,  
from East Street to 226 feet east of New Jersey Street

Illinois Street, on the east side,  
from Washington Street to Ohio Street

*from 7:00 a.m. to 9:00 a.m.*

Capitol Avenue, on the west side,  
from Thirty-eight Street to North Street

Virginia Avenue, on the north side,  
from Louisiana Street to Calvary Street

*from 6:00 a.m. to 9:00 a.m.*

Capitol Avenue, on the west side,  
from Ohio Street to New York Street

East Street, on both sides,  
from Tenth Street to Michigan Street

Pennsylvania Street, on the east side,  
from Ohio Street to Maryland Street



Pennsylvania Street, on the west side,  
from North Street to New York Street

*from 3:00 p.m. to 6:00 p.m.*

North Street, on the south side,  
from Pierson Street to Senate Avenue

New York Street, on the south side,  
from Pennsylvania Street to East Street

Senate Avenue, on the east side,  
from Vermont Street to Michigan Street

Vermont Street, on the south side,  
from Capitol Avenue to Meridian Street

Washington Street, on the south side,  
from New Jersey Street to East Street

Illinois Street, on the east side,  
from New York Street to North Street

*from 4:00 p.m. to 6:00 p.m.*

Central Avenue, on the east side,  
from Eleventh Street to Thirty-fourth Street

Senate Avenue, on the east side,  
from Michigan Street to Tenth Street

Vermont Street, on the south side,  
from Capitol Avenue to Meridian Street

Vermont Street, on the south side,  
from Pennsylvania Street to Alabama Street

New Jersey Street, on both sides,  
from Wabash Street to New York Street

ON ANY DAY EXCEPT SUNDAY  
*from 6:00 a.m. to 9:00 a.m.*

Louisiana Street, on the south side,  
from Ogden Street to New Jersey Street

New Jersey Street, on the west side,  
from Louisiana Street to the first Alley south

SECTION 5. That the "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Sec. 29-283, Parking meter zones designated, be, and the same is hereby amended by the deletion of the following, to wit:

2 HOURS

Thirteenth Street, on the south side,  
from Senate Avenue to Meridian Street

SECTION 6. That the "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Sec. 29-268, Stopping, standing or parking prohibited at all times on certain streets, be, and the same is hereby amended by the addition of the following, to wit:

*February 28, 1994*

Virginia Avenue, on both sides,  
from Louisiana Street to South Street

Alabama Street, on the east side,  
from Ohio Street to Maryland Street

East Street, on the west side,  
from Washington Street to South Street

Michigan Street, on both sides,  
from Meridian Street to West Street

New York Street, on both sides,  
from West Street to Senate Avenue

North Street, on both sides,  
from Delaware Street to Alabama Street

South Street, on both sides,  
from Pennsylvania Street to East Street

Ohio Street, on the north side,  
from Delaware Street to Illinois Street

Maryland Street, on both sides,  
from Delaware Street to New Jersey Street

Washington Street, on the south side,  
from New Jersey Street to Alabama Street

SECTION 7. That the "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Sec. 29-270, Parking prohibited during specified hours on certain days, be, and the same is hereby amended by the addition of the following, to wit:

ON ANY DAY EXCEPT SATURDAYS, AND SUNDAYS AND HOLIDAYS  
*from 7:00 a.m. to 6:00 p.m.*

East Street, on the east side,  
from Michigan Street to Ohio Street

Illinois Street, on the west side,  
from Maryland Street to Washington Street

Michigan Street, on the north side,  
from New Jersey Street to Pennsylvania Street

Michigan Street, on the south side,  
from East Street to Pennsylvania Street

New York Street, on the south side,  
from Illinois Street to Meridian Street

New York Street, on the north side,  
from Alabama Street to East Street

New York Street, on the north side,  
from Senate Avenue to Meridian Street

New York Street, on the north side,  
from Pennsylvania Street to Delaware Street

New Jersey Street, on the west side,  
from New York Street to Vermont Street

*Journal of the City-County Council*

Pennsylvania Street, on the north side,  
from Washington Street to Court Street (east leg)

SECTION 8. That the "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Sec. 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be, and the same is hereby amended by the addition of the following, to wit:

ON ANY DAY EXCEPT SATURDAYS AND SUNDAYS

*from 6:00 a.m. to 9:00 a.m. and  
from 3:00 p.m. to 6:00 p.m.*

College Avenue, on the east side,  
from Market Street to New York Street

*from 6:00 a.m. to 9:00 a.m.*

Dr. Martin Luther King Jr. Street, on the west side,  
from Twelfth Street to Sixteenth Street

*from 7:00 a.m. to 9:00 a.m.*

Virginia Avenue, on the north side,  
from South Street to Calvary Street

*from 3:00 p.m. to 6:00 p.m.*

New York Street, on the south side,  
from Delaware Street to East Street

New Jersey Street, on the east side,  
from Wabash Street to New York Street

SECTION 9. That the "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Sec. 29-283, Parking meter zones designated, be, and the same is hereby amended by the addition of the following, to wit:

2 HOURS

Washington Street, on the north side,  
from Illinois Street to Pennsylvania Street

New York Street, on the north side,  
from Delaware Street to Alabama Street

SECTION 10. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 90, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 90, 1994 on February 23, 1994. The proposal amends the Code by changing the speed limit for segments of Southport Road (District 24). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Gilmer moved to amend Proposal No. 90, 1994, Section 2, by substituting the word addition for deletion. This motion was seconded by Councillor Coughenour and passed by unanimous voice vote.

Councillor Gilmer moved, seconded by Councillor Coughenour, for adoption. Proposal No. 90, 1994, as amended, was adopted on the following roll call vote; viz:



27 YEAS: *Beadling, Black, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

1 NAY: *Borst*

1 NOT VOTING: *Gray*

Proposal No. 90, 1994, as amended, was retitled GENERAL ORDINANCE NO. 32, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 32, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-136, Alteration of prima facie speed limits.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-136, Alteration of prima facie speed limits, be, and the same is hereby amended by the deletion of the following, to wit:

40 MPH

Southport Road,  
from McFarland Road to Sherman Drive

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-136, Alteration of prima facie speed limits, be, and the same is hereby amended by the addition of the following, to wit:

35 MPH

Southport Road,  
from McFarland Road to Sherman Drive

40 MPH

Southport Road,  
from Sherman Drive to Acton Road

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 91, 92, 93 and 94, 1994. Councillor Gilmer asked for consent to vote on these four transportation proposals together. Consent was given. PROPOSAL NO. 91, 1994. The proposal amends the Code by authorizing a passenger and material loading zone for the Pan American Plaza (District 16). PROPOSAL NO. 92, 1994. The proposal amends the Code by authorizing a weight limit restriction on segments of Fall Creek Parkway, North Drive (Districts 4, 11). PROPOSAL NO. 93, 1994. The proposal amends the Code by authorizing weight limit restrictions on Gale Street, Ewing Street, and Kealing Avenue between 10th Street and Brookside Parkway (District 10). PROPOSAL NO. 94, 1994. The proposal amends amending the Code by authorizing a weight limit restriction on Arsenal Avenue from 10th Street to 12th Street (District 22). Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 91, 92, 93 and 94, 1994 on February 23, 1994. By 7-0 votes, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Brents, for adoption. Proposal Nos. 91, 92, 93 and 94, 1994 were adopted on the following roll call vote; viz:

29 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
0 NAYS:

Proposal No. 91, 1994 was retitled GENERAL ORDINANCE NO. 33, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 33, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-331, Passenger and material loading zone.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-331, Passenger and material loading zones, be, and the same is hereby amended by the addition of the following, to wit:

Capital Avenue, from a point  
62 feet south of Georgia Street to a  
point 109 feet south of Georgia Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 92, 1994 was retitled GENERAL ORDINANCE NO. 34, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 34, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-224, Trucks on certain streets restricted.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-224, Trucks on certain streets restricted, be, and the same is hereby amended by the addition of the following, to wit:

11,000 POUNDS

Fall Creek Parkway, North Drive,  
from State Route 37 to Fifty-sixth Street

Fall Creek Parkway, North Drive,  
from Kessler Boulevard to Fall Creek Road

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 93, 1994 was retitled GENERAL ORDINANCE NO. 35, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 35, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-224, Trucks on certain streets restricted.

February 28, 1994

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-224, Trucks on certain streets restricted, be, and the same is hereby amended by the addition of the following, to wit:

11,000 POUNDS

Gale Street, from  
10th Street to Brookside Parkway

Ewing Street, from  
10th Street to Brookside Parkway

Kealing Avenue, from  
10th Street to Brookside Parkway

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 94, 1994 was retitled GENERAL ORDINANCE NO. 36, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 36, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-224, Trucks on certain streets restricted.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-224, Trucks on certain streets restricted, be, and the same is hereby amended by the addition of the following, to wit:

11,000 POUNDS

Arsenal Avenue, from  
Tenth Street to Twelfth Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**ANNOUNCEMENTS AND ADJOURNMENT**

Councillor Boyd stated that he has been asked to offer the following motion for adjournment by:

- (1) Councillor Williams in memory of Judith McBride Cole;
- (2) Councillor Borst in memory of Dr. James Adams; and
- (3) Councillor Beadling in memory of Rodney Orr.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Judith McBride Cole, Dr. James Adams, and Rodney Orr. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.



There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:38 p.m.

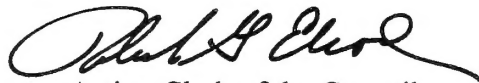
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 28th day of February, 1994.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Acting Clerk of the Council

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, MARCH 21, 1994**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:10 p.m. on Monday, March 21, 1994, with Councillor SerVaas presiding.

Councillor Beadling led the opening prayer and invited all present to join her in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*29 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

A quorum of twenty-nine members being present, the President called the meeting to order.

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Rhodes introduced members from First Friends Church's Boy Scout Troop No. 200: Dan Burtwhistle, Jim Rodehefer, Mike Hopkins, Byron Schaller, Brent Taylor, David Locke, Rick Davenport, and Scoutmaster Greg Hall, Assistant Scoutmaster David Hurst, and Troop Committeeman Phil Farris.

Councillor Curry introduced former Councillor Paul F. Cantwell.

**OFFICIAL COMMUNICATIONS**

The President called for the reading of Official Communications. The Clerk read the following:

*Journal of the City-County Council*

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, March 21, 1994, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Beurt SerVaas  
President, City-County Council

March 2, 1993

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Monday, March 7, 1994, a copy of LEGAL NOTICE on General Ordinance No. 15, 1994.

Respectfully,  
s/Suellen Hart  
Assistant Clerk of the City-County Council

March 7, 1993

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, March 10, 1994, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 113, 114 and 115, 1994, to be held on Monday, March 21, 1994, at 7:00 p.m., in the City-County Building.

Respectfully,  
s/Suellen Hart  
Assistant Clerk of the City-County Council

March 8, 1993

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, March 10, 1994, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal No. 130, 1994, to be held on Monday, March 21, 1994, at 7:00 p.m., in the City-County Building.

Respectfully,  
s/Suellen Hart  
Assistant Clerk of the City-County Council



*March 21, 1994*

March 2, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Acting Clerk of the City-County Council, Robert G. Elrod, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 3, 1994 - appropriating \$3,059,900 for the Department of Administration, Indianapolis Fleet Services Division, to purchase replacement vehicles for its fleet

GENERAL ORDINANCE NO. 18, 1994 - amending the Code concerning numbering buildings

GENERAL ORDINANCE NO. 19, 1994 - amending the Code to provide for the use of automated ordinance violation citations

GENERAL ORDINANCE NO. 20, 1994 - amending the Code by authorizing intersection controls for Southern Lakes subdivision (District 23)

GENERAL ORDINANCE NO. 21, 1994 - amending the Code by authorizing intersection controls for Hartman Farms subdivision (District 12)

GENERAL ORDINANCE NO. 22, 1994 - amending the Code by authorizing intersection controls for Admirals Bay subdivision (District 5)

GENERAL ORDINANCE NO. 23, 1994 - amending the Code by authorizing intersection controls for Oakforge Lakes subdivision (District 9)

GENERAL ORDINANCE NO. 24, 1994 - amending the Code by authorizing intersection controls for the Chestnut Hills subdivision (District 1)

GENERAL ORDINANCE NO. 25, 1994 - amending the Code by authorizing a multi-way stop at McFarland Boulevard and Poppyseed Drive (District 24)

GENERAL ORDINANCE NO. 26, 1994 - amending the Code by authorizing a multi-way stop at Cricklewood Road and 65th Place (District 4)

GENERAL ORDINANCE NO. 27, 1994 - amending the Code by authorizing a multi-way stop at Lee Road and 63rd Street (District 5)

GENERAL ORDINANCE NO. 28, 1994 - amending the Code by authorizing a multi-way stop at Avalon Lane, Hillcrest Country Club Road, and Hillcrest Lane (District 4)

GENERAL ORDINANCE NO. 29, 1994 - amending the Code by authorizing a multi-way stop at Delaware Street and 55th Street (District 7)

GENERAL ORDINANCE NO. 30, 1994 - amending the Code by adding and deleting parking restrictions on 30th Street (Districts 8, 9, 10, 22)

GENERAL ORDINANCE NO. 31, 1994 - amending the Code by adding and deleting parking restrictions at various downtown locations (Districts 16, 22)

GENERAL ORDINANCE NO. 32, 1994 - amending the Code by changing the speed limit for segments of Southport Road (District 24)

GENERAL ORDINANCE NO. 33, 1994 - amending the Code by authorizing a passenger and material loading zone for the Pan American Plaza (District 16)

GENERAL ORDINANCE NO. 34, 1994 - amending the Code by authorizing a weight limit restriction on segments of Fall Creek Parkway, North Drive (Districts 4, 11)

GENERAL ORDINANCE NO. 35, 1994 - amending the Code by authorizing weight limit restrictions on Gale Street, Ewing Street, and Kealing Avenue between 10th Street and Brookside Parkway (District 10)

GENERAL ORDINANCE NO. 36, 1994 - amending the Code by authorizing a weight limit restriction on Arsenal Avenue from 10th Street to 12th Street (District 22)

SPECIAL RESOLUTION NO. 9, 1994 - recognizing hero Scott Thomas

SPECIAL RESOLUTION NO. 10, 1994 - welcoming Shirley Jones to Indianapolis

SPECIAL RESOLUTION NO. 11, 1994 - approving the leasing of property within Eagle Creek Park by the Department of Parks and Recreation for the purpose of establishing a restaurant and marina facility

SPECIAL RESOLUTION NO. 12, 1994 - amending Special Resolution No. 72, 1990, by extending the expiration date for Homeward Partners, Inc. through August 31, 1994

SPECIAL RESOLUTION NO. 13, 1994 - amending Special Resolution No. 45, 1993, as amended by extending the expiration date for Brulin & Company, Inc. through August 31, 1994

SPECIAL RESOLUTION NO. 14, 1994 - an inducement resolution for Enterprise Housing Brookside, Inc. in a amount not to exceed \$1,500,000 for the acquisition and renovation of the existing 140 unit multifamily residential rental project known as Brookside Courts Apartments located at 1840 Perkins Avenue

SPECIAL ORDINANCE NO. 1, 1994 - approving the execution of document amendments relating to the previously-issued City of Indianapolis, Indiana Adjustable Rate Economic Development Revenue Bonds, Series 1991 (Cantor & Coleman II Project) and approving and authorizing other actions in respect thereto

SPECIAL ORDINANCE NO. 2, 1994 - amending and supplementing Special Ordinance No. 14, 1993, relating to the issuance of City of Indianapolis, Indiana Multifamily Housing Revenue Bonds (Sunrise Apartments Project located at 4514 Candletree Circle) Series A, B and C in the total aggregate principal amount not to exceed \$6,000,000

Respectfully,  
s/Stephen Goldsmith

### **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

### **APPROVAL OF JOURNALS**

President SerVaas called for additions or corrections to the Journal of February 28, 1994. There being no additions or corrections, the minutes were approved as distributed.

Councillor Curry expressed his concern over unfunded federal mandates. He recently discovered that before Marion County can change a vehicle bridge to a foot bridge in the southeastern part of the County, the federal government is requiring the County to spend \$6,000 on a study to determine the impact of this bridge change on the Indiana bat. He asked all the Councillors to contact their federal and state representatives concerning these unfunded mandates.

Councillor Rhodes stated that there is legislation before Congress, co-sponsored by Senators Richard Lugar and Daniel Coates and Representatives Dan Burton and Andy Jacobs, that would prohibit mandates by Congress for any agencies of Congress that did not provide for funding or a source for funding.

### **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 172, 1994. This proposal, sponsored by Councillor SerVaas, recognizes "Buffalo Soldier" John Morton-Finney. Councillor SerVaas read the resolution and presented



March 21, 1994

a copy of the document to Mr. Morton-Finney, who expressed appreciation for the recognition. Also present was Mr. Morton-Finney's daughter. Councillor Boyd expressed his admiration for Mr. Morton-Finney and asked to be a co-sponsor of this proposal. Councillor SerVaas moved, seconded by Councillor Boyd, for adoption. Proposal No. 172, 1994 was adopted by unanimous voice vote.

Proposal No. 172, 1994 was retitled SPECIAL RESOLUTION NO. 15, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 15, 1994

A SPECIAL RESOLUTION recognizing "Buffalo Soldier" John Morton-Finney.

WHEREAS, the life of 104-year-old Indianapolis resident John Morton-Finney holds a positive and inspiring message for everyone in this city;

WHEREAS, Mr. Finney was born in 1889 when Benjamin Harrison was President and the cornerstone was laid for Monument Circle's Soldiers' and Sailors' Monument; and

WHEREAS, he was the son of a slave, and joined one of the two all-Black cavalry units of the U.S. Army called "Buffalo Soldiers" by the western Indians, and was rejected for an officer's commission because of his race; and

WHEREAS, from 1911 to 1914 he served honorably in the Philippines with the Army, and served in France during the First World War; and

WHEREAS, pursuing his life long desire for learning, in 1916 he earned his first of 12 academic degrees, he spent 47 years as a teacher and administrator with the Indianapolis Public Schools, has been an attorney in good standing since 1935, has learned six languages and is an avid reader; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes distinguished Indianapolis citizen, John Morton-Finney whose active adult life spans the entire Twentieth Century.

SECTION 2. John Morton-Finney has never let adversity stand in his way, proudly wore the uniform of this nation, and serves as an inspiration and role model for all young people.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 173, 1994. This proposal, sponsored by Councillor Williams, congratulates the Arsenal Technical High School Constitution team. Councillor Williams asked Councillor Jones to join her at the podium. Councillor Williams read the resolution and presented a copy of the document to the team members and their coaches. Derrick Slack, a member of the constitution team, expressed appreciation for the recognition. Councillor Williams moved, seconded by Councillor Jones, for adoption. Proposal No. 173, 1994 was adopted by unanimous voice vote.

Proposal No. 173, 1994 was retitled SPECIAL RESOLUTION NO. 16, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 16, 1994

A SPECIAL RESOLUTION congratulating the Arsenal Technical High School Constitution team.



WHEREAS, the Center for Civic Education and the Commission on the Bicentennial of the United States Constitution sponsor the annual competition for knowledge of the U.S. Constitution; and

WHEREAS, Indianapolis' Arsenal Technical High School won the 10th Congressional District Constitution Championship on November 23, 1993, and on December 16th they won the State Championship title; and

WHEREAS, this marks Tech's fourth state championship in the last five years; and

WHEREAS, the Tech team, coached by social studies teacher Karl Schneider, is now preparing for the national level of competition in Washington, D.C. beginning on April 29, 1994; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council congratulates the Arsenal Technical High School Constitution team coached by Karl Schneider for winning the Indiana title.

SECTION 2. The Council specifically recognizes the Tech team members: Jon Backus, Alexandra Barnes, Lucinda Barnhart, Jennifer Beerbower, Annetta Chapman, Anthony Christenberry, Miranda Cunningham, Damon Gardner, Geoffrey Geib, Mark Gilman, Kristi Hightower, Wade Hill, Eric Hogue, Virginia Houston, Lindy Lambert, Francis Lapka, Rose Martinez, Julia McGill, Michael Parran, Brett Peterson, Charles Poi, Patricia Rini, Sallyann Scott, Timothy Shafer, Nathan Sheets, Everett Sherdan, Janet Simpson, Derrick Slack, Brandy Stone, Edward Stuckey, Megan Sullivan, Kenneth Thompson, Shauntea Tolliver, Kalpesh Unune, Bruce Wadlington, Shawn Wages, David Williamson and Jon Wright.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 174, 1994. This proposal, sponsored by Councillor Franklin, recognizes Dorothea Green. Councillor Franklin read the resolution and presented a copy of the document to Ms. Green, who expressed appreciation for the recognition. Also present were friends of Ms. Green's and her family. Councillor Franklin moved, seconded by Councillor Beadling, for adoption. Proposal No. 174, 1994 was adopted by unanimous voice vote.

Proposal No. 174, 1994 was retitled SPECIAL RESOLUTION NO. 17, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 17, 1994

A SPECIAL RESOLUTION recognizing Dorothea Green.

WHEREAS, Dorothea Green was selected by the readers as *The Indianapolis Star's* 1993 Woman of the Year; and

WHEREAS, since 1988, Mrs. Green has been Director of the United Christmas Service, a United Way agency that raises money to benefit thousands of needy people each Christmas; and

WHEREAS, a minister's widow, at age 73 she works tirelessly to put her Christian faith into practice by bringing some Christmas spirit into the homes of those who face a bleak and meager holiday season, now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and congratulates Dorothea Green for being voted 1993 Woman of the Year by the readers of *The Indianapolis Star*.

SECTION 2. The recipients and donors of United Christmas Service are truly blessed each year because people like Dorothea Green and her volunteers are hard at work.

March 21, 1994

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 175, 1994. This proposal, sponsored by Councillor Franklin, recognizes Isaac Randolph, Jr. Councillor Franklin read the resolution and presented a copy of the document to Mr. Randolph, who expressed appreciation for the recognition. Fire Chief Keith Smith voiced his admiration of Mr. Randolph. Mr. Randolph's family was also present. Councillor Franklin moved, seconded by Councillor Gray, for adoption. Proposal No. 175, 1994 was adopted by unanimous voice vote.

Proposal No. 175, 1994 was retitled SPECIAL RESOLUTION NO. 18, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 18, 1994

A SPECIAL RESOLUTION recognizing Isaac Randolph, Jr.

WHEREAS, Indianapolis firefighter Isaac Randolph, Jr. and his fellow volunteers have created a youth activity center called Saint Florian Center named after the patron saint of firefighters; and

WHEREAS, for his leadership in this project which works with the youth in the neighborhood where the fire station is located, Isaac Randolph, Jr. was voted the 1993 Man of the Year by the readers of *The Indianapolis Star*; and

WHEREAS, he is an enthusiastic and tireless worker for the Saint Florian Center and the Center's youth programs which provide guidance to channel the high energy level of young people into productive activities such as athletics, tutoring, career education and life skills; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and congratulates Isaac Randolph, Jr. and all the other volunteers at Saint Florian Center for their perseverance, energy and their thousands of hours of time to help give young people worthwhile alternatives to the limited future of wasted lives, gangs, drugs and violence.

SECTION 2. A part of Indianapolis is a little better because of the presence of Isaac Randolph, Jr. and his friends.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 176, 1994. This proposal, sponsored by Councillors Beadling, Black, Borst, Boyd, Curry, Dowden, Hinkle, Rhodes, Ruhmkorff, Shambaugh and West, recognizes the 75th anniversary of the American Legion. Councillor Beadling asked Councillor Dowden to join her at the podium. Councillor Beadling read the resolution and presented copies of the document to members of the American Legion who were present. William G. Clark, 11th District Commander, Department of Indiana, expressed appreciation for the recognition. Also present were 11th District Chaplain Ed Merklin, Post 374 Commander Daniel L. Hervey, Vice Commander Post 374 Bill Hendley, Post 355 Commander Robert Burchfield, and also from Post 355 Frances G. Stevens. Councillor Beadling moved, seconded by Councillor Dowden, for adoption. Proposal No. 176, 1994 was adopted by unanimous voice vote.



Proposal No. 176, 1994 was retitled SPECIAL RESOLUTION NO. 19, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 19, 1994

A SPECIAL RESOLUTION recognizing the seventy-fifth anniversary of the American Legion.

WHEREAS, the American Legion was founded March 15-17, 1919, in Paris, France, by World War One American Expeditionary Forces servicemen; and

WHEREAS, since that time the American Legion has welcomed into its ranks veterans of World War Two, the Korean and Vietnam Wars, Lebanon, Grenada, Panama and the Persian Gulf War; and

WHEREAS, the national and state headquarters of the American Legion is in downtown Indianapolis within walking distance of the City-County Building; and

WHEREAS, since 1919, the American Legion has pushed for a strong national defense, initiated the G.I. Bill, hosts annual Boys State and Girls State, advocates strong veterans hospitals and other veterans benefits, helped veterans get the medals they have earned, strongly opposed Communism and other totalitarian dictatorships, sponsors boy scout troops and youth baseball leagues and has established thousands of local American Legion posts throughout the nation; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council pauses to recognize the seventy-fifth birthday of the American Legion.

SECTION 2. The Council applauds the American Legion's work for America's armed forces veterans, for the young people, and for its firm stand of support for a strong national defense.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 715, 1993; 39 and 70, 1994. The President stated that these board appointments were heard by various committees. The Committees have recommended to the full Council that the proposals be adopted. The President ruled that these three board appointments would be voted on together. PROPOSAL NO. 715, 1993. The proposal reappoints Howard Howe to the Board of Capital Asset Management. PROPOSAL NO. 39, 1994. The proposal reappoints Lelia Smith to the Marion County Commission on Youth, Inc. PROPOSAL NO. 70, 1994. The proposal appoints Phillip Hinkle to the Audit Committee. Proposal Nos. 715, 1993; 39, as amended, and 70, 1994 were adopted by unanimous voice vote.

Proposal No. 715, 1993 was retitled COUNCIL RESOLUTION NO. 49, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 49, 1994

A COUNCIL RESOLUTION reappointing Howard Howe to the Board of Capital Asset Management.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Capital Asset Management, the Council appoints:

Howard Howe



March 21, 1994

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 39, 1994, as amended, was retitled COUNCIL RESOLUTION NO. 50, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 50, 1994

A COUNCIL RESOLUTION reappointing Lelia Smith to the Marion County Commission on Youth, Inc.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Commission on Youth, Inc., the Council appoints:

Lelia Smith

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 70, 1994 was retitled COUNCIL RESOLUTION NO. 51, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 51, 1994

A COUNCIL RESOLUTION appointing Phillip Hinkle to the Audit Committee.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Audit Committee, the Council appoints:

Phillip Hinkle

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

**SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 135, 1994. Councillor Borst reported that the Economic Development Committee heard Proposal No. 135, 1994 on March 21, 1994. The proposal approves the issuance of City of Indianapolis, Indiana Tax-Exempt Adjustable Mode Economic Development Revenue Bonds (Herff Jones, Inc. Project) Series 1994 in an aggregate principal amount not to exceed \$4,100,000 (4500 West 62nd Street, District #9). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Gray, for adoption. Proposal No. 135, 1994 was adopted on the following roll call vote; viz:

23 YEAS: Black, Borst, Boyd, Brents, Curry, Dowden, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, West

0 NAYS:

6 NOT VOTING: Beadling, Coughenour, Franklin, Hinkle, Ruhmkorff, Williams

Proposal No. 135, 1994 was retitled SPECIAL ORDINANCE NO. 3, 1994 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 3, 1994

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its Tax-Exempt Adjustable Mode Economic Development Revenue Bonds (Herff Jones, Inc. Project) Series 1994, in the aggregate principal amount not to exceed \$4,100,000 (the "Bonds"), and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code Title 36, Article 7, Chapters 11.9 and 12 (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, the Act provides that an issuer may, pursuant to the Act, issue revenue bonds and lend the proceeds thereof to a corporation, partnership or individual for the purpose of financing costs of acquisition or construction of facilities, including real and personal property, for diversification of economic development and promotion of job opportunities in or near such issuer; and

WHEREAS, the Act provides that such bonds may be secured by a trust indenture between an issuer and a corporate trustee; and

WHEREAS, a representative of Herff Jones, Inc. (the "Company") has requested that the City of Indianapolis, Indiana (the "Issuer") issue bonds and lend the proceeds thereof to the Company in order to enable the Company to undertake and complete the acquisition, construction, installation and equipping of a building containing approximately 69,000 square feet to be located at 4500 West 62nd Street, Indianapolis, Marion County, Indiana on approximately 3 acres of land which will be used primarily for the manufacturing of high school and college class rings, medals, awards and commercial recognition products; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (the "Project"); and

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for the Company and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, pursuant to and in accordance with the Act, the Issuer desires to provide funds to finance the acquisition of the Project by issuing its Tax-Exempt Adjustable Mode Economic Development Revenue Bonds (Herff Jones, Inc. Project) Series 1994, in the aggregate principal amount not to exceed \$4,100,000 (the "Bonds"); and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on March 10, 1994 pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24 and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of the Project which will be initially owned by the Company complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the Issuer and its citizens; and

WHEREAS, the Issuer intends to issue the Bonds pursuant to an Indenture of Trust (the "Indenture") dated as of March 1, 1994 by and between the Issuer, First Citizens Bank & Trust Company, and Bank One, Indianapolis, NA, as Co-Trustees (the "Co-Trustees") in order to obtain funds to lend to the Company pursuant to a Loan Agreement (the "Loan Agreement") dated as of March 1, 1994, between the Issuer and the Company for the purpose of financing or providing reimbursement for the cost of the Project and to pay a portion of the costs of issuance of the Bonds; and

WHEREAS, the Loan Agreement provides for the repayment by the Company of the loan of the proceeds of the Bonds pursuant to which the Company will agree to make payments sufficient to pay the principal and interest on the Bonds as the same become due and payable and to pay administrative expenses in connection with the Bonds; and

WHEREAS, the financing will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating in the same market area or in or about Marion County, Indiana; and



March 21, 1994

WHEREAS, the Indianapolis Economic Development Commission has approved the substantially final forms of the Loan Agreement, Indenture, Placement Agreement, Preliminary Private Placement Memorandum, the form of the Bonds (hereinafter referred to collectively as the "Financing Documents") and this proposed form of special ordinance by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, the loan of the net proceeds thereof to the Company for the purposes of financing or providing reimbursement for a portion of the cost of the Project, and the repayment of said loan by the Company will be of benefit to the health or general welfare of the Issuer and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents presented herewith are hereby approved and all such documents shall be kept on file by the Clerk of the Council or City-Controller. In compliance with Indiana Code Title 36, Article 1, Chapter 5, Section 4, two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Issuer shall issue its Bonds in the aggregate principal amount not to exceed Four Million One Hundred Thousand Dollars (\$4,100,000) for the purpose of procuring funds to loan to the Company in order to finance or provide reimbursement for a portion of the cost of the Project which Bonds will be payable as to principal and interest solely from the payments made by the Company pursuant to the Loan Agreement to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

SECTION 4. The Preliminary Private Placement Memorandum is hereby deemed final as of its date, except for the omission of no more than the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, ratings and other terms of the securities depending on such matters. The Mayor, the City Clerk or any other officer of the Issuer familiar with the matters with respect to the Issuer set forth in the Preliminary Private Placement Memorandum is hereby authorized to certify to Wachovia Bank of Georgia, National Association (the "Placement Agent") that the information in the Preliminary Private Placement Memorandum with respect to the Issuer is deemed to be final as stated above prior to the distribution of the Preliminary Private Placement Memorandum.

SECTION 5. The City Clerk and City Controller are authorized and directed to sell such Bonds to the purchasers thereof at a price not less than 100% of the aggregate principal amount thereof, plus accrued interest, if any, and at a stated per annum rate of interest as set forth in the Financing Documents. The use of a Final Private Placement Memorandum in substantially the same form as the Preliminary Private Placement Memorandum approved herein are each approved for use and distribution by the Placement Agent and its agents in connection with the marketing of the Bonds.

SECTION 6. The Mayor and City Clerk are authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and City Clerk and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be facsimile signatures. The City Clerk and City Controller are authorized to arrange for the delivery of such Bonds to the purchaser, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 7. The provisions of this special ordinance and the Financing Documents shall constitute a contract binding between the Issuer and the holder or holders of the Bonds and after the issuance of said Bonds, this special ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 8. This special ordinance shall be in full force and effect upon adoption and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14.



PROPOSAL NO. 136, 1994. Councillor Borst reported that the Economic Development Committee heard Proposal No. 136, 1994 on March 21, 1994. The proposal is an inducement resolution for EPI Printers, Inc. in an amount not to exceed \$6,500,000 for the acquisition, construction and equipping of an approximately 33,500 square foot manufacturing facility to be used in EPI's printing business (7340 East 68th Street, District #4). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Dowden, for adoption. Proposal No. 136, 1994 was adopted on the following roll call vote; viz:

*27 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

*0 NAYS:*

*2 NOT VOTING: Beadling, Williams*

Proposal No. 136, 1994 was retitled SPECIAL RESOLUTION NO. 20, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 20, 1994

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or directly owned by the company;

WHEREAS, EPI Printers, Inc. (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities consist of the acquisition, construction, installation and equipping of an approximately 33,500 square foot building to be located at 7340 East 68th Street, Indianapolis, Indiana on approximately 4.99 acres of land which will be used by the Applicant in its printing business; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (the "Project");

WHEREAS, the diversification of industry and the creation of opportunities for gainful employment (sixty-eight (68) jobs at the end of one year and seventy-seven (77) at the end of three years plus the creation of a construction job payroll) and the creation of business opportunities to be achieved by the acquisition, construction, installation and equipping of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, the acquisition, construction, installation and equipping of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer;  
NOW, THEREFORE:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the creation of opportunities for gainful employment within the jurisdiction of the Issuer, is desirable, serves a public purpose, and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the creation of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed Six Million Five Hundred Thousand Dollars (\$6,500,000) under the Act

to be privately placed or publicly offered with credit enhancement for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, construction, installation and equipping of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires September 30, 1994, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) if applicable, the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the date which is sixty (60) days prior to the adoption of this resolution, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the same purpose. Also certain indirect expenses incurred prior to such date will be permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (TD 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Section 1.150-2.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Short recognized the former mayor of Beech Grove Elton Geshwiler.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 130, 1994. This proposal is a rezoning ordinance for certain property in Washington Township, located at 7990 Castleton Road. The proposal requests the rezoning of 18.422 acres from a I-2-S district to a C-5 classification to provide for a family entertainment center. Proposal No. 130, 1994 was certified by the Metropolitan Development Commission on February 23, 1994. On February 28, 1994 Councillor Dowden moved to schedule Proposal No. 130, 1994 for a public hearing on March 21, 1994. This motion passed by unanimous voice vote.

The President said that Robert Elrod, General Counsel, advised him that a preliminary conference was held with the petitioners' and the remonstrators' attorneys on March 15, 1994 and there was no resolution of the matter at that time.



Councillor Dowden stated that this rezoning involves commercial development in the highly congested Castleton area. This matter was adopted and approved by the Metropolitan Development Commission by a narrow margin of 4-3.

Brian J. Tuohy stated that he is the attorney for the petitioner Russ Wurster and M & R Partnership. This property has been for sale for five years and has never been developed. Mr. Wurster plans to build a family amusement center called Greattimes at this location and will invest \$5 million in the project. Mr. Wurster already has a Greattimes amusement center in Beech Grove. Mr. Tuohy said that there has to be a concern over traffic with any new development in Castleton. In a memo dated January 4, Ron Griewe, traffic engineer for the City, said "...the proposed development zoning plan is not a transportation issue." Mr. Wurster has agreed to pay half the cost of repaving and widening Castleton Road. Mr. Tuohy said that the remonstrators were concerned about pedestrian traffic and that there are no sidewalks. Mr. Tuohy stated that the petitioner does not believe there will be pedestrian traffic because no one lives close to this site and people who go into Castleton drive their cars. Mr. Wurster has agreed to limit the use of the site to only a family entertainment center. Mr. Tuohy said he wanted to read into the record a portion of a letter from J. Warner Wiley, Mayor of Beech Grove. This letter, dated March 18, 1994, reads "...I have personally seen GREATTIMES in operation and believe this facility is an asset to the Beech Grove Community. To date, our office has not received any complaints regarding traffic or security problems with regard to GREATTIMES. GREATTIMES has become a place for family outings in our Community. I believe GREATTIMES would also be an asset to the northeast side of Indianapolis." Mr. Tuohy asked for the Council's support for this petition.

Sgt. Larry Jones, Marion County Sheriff's Department, stated that he works as security for Greattimes in Beech Grove and that there have been no security problems with gangs at that center.

Elton Geshwiler, former mayor of Beech Grove, stated that he has known the petitioner for twenty years and could recommend him highly. His business enterprises in the City of Beech Grove have been assets to the area.

Wilson Stober stated that he is the attorney for the remonstrators who are a group of business persons located on Castleton Road. This is not a case where it is a question whether Mr. Wurster is a capable operator of an amusement park or whether an amusement park is a good thing. Mr. Stober said that this is a case that strongly questions whether the location proposed by the petitioner is a good and adequate location for an amusement park. The issue is whether business and industry, such as Wheaton Van Lines, can rely on the zoning plans which are in place. It is important to note that the location of this proposed amusement park is landlocked and people cannot get there by any route other than Castleton Road. Castleton Road is a narrow, dead-end, local street which cannot bear the traffic which is on it today. There is bus service in Castleton and there will be children walking down that road to get to the amusement park. There is no median cut on 82nd Street and Castleton Road so anyone traveling west on 82nd Street cannot turn left onto Castleton Road. Similarly when exiting onto 82nd Street traffic cannot turn west because there is no cut in the median. Mr. Stober said that Wheaton Van Lines' image is as vitally important to it as it is of any major business, and it cannot exist next to an amusement park.



Steve Burns, chairman of Wheaton Van Lines, stated that he is a representative, not only of Wheaton Van Lines, but for all the businesses along Castleton Road and, in his opinion, for those people who live, work and shop in the Castleton area. Castleton is a highly congested area and the location of an amusement park in the area will add to the traffic gridlock. Castleton's Fire Chief Jerry Whittaker and his assistant chief and fire marshall are opposed to this amusement park because of the public safety risks, as are Lawrence Township Trustee Carl Specter and Mayor Steve Goldsmith. Mr. Burns said that by Sheriff Deputy Jones' own admission gangs go to Greattimes in Beech Grove, and no one has control over what they do. With no sidewalks and no lighting they will wander the neighborhood day and night. Mr. Burns said that his board of directors has indicated to him by a unanimous vote that if an amusement park is established, he is authorized to look for another location for Wheaton Van Lines. He said a week ago he indicated to Mr. Tuohy that Wheaton Van Lines would like to buy this property, but Mr. Tuohy said that Mr. Wurster liked that particular site for his amusement center. Mr. Burns said that the only way that Wheaton Van Lines can stay on Castleton Road is if the Council will vote against this project.

Jim Sales, director of Castle Knoll Farms Homeowners Association, said that he opposes the rezoning because the amusement park will draw more people into Castleton and more traffic.

John Sebring, chief of Northeast Security, said that his main goal is to provide a secure environment for Wheaton Van Lines. He sees the clientele in this area changing if the amusement park is established and jeopardizing this secure environment.

Mr. Tuohy stated that there are two roads leading into the site--Castleton Road and Bash Road. He said that this is an opportunity to improve on a vacant piece of real estate which will generate income into this community.

Dick Kraege, colleague of Wilson Stober, said that this rezoning request is incompatible with the Lawrence Township Comprehensive Plan which was adopted in 1992. It is opposed by Castleton East Civic Organization and Castle Knoll Farms Homeowners Association. The Department of Metropolitan Development's staff recommended denial of the petition. There needs to be orderly development in this community--industrial development where industrial development is suppose to be. There is a much more compelling interest to keep Wheaton Van Lines in this location than to have a place to play miniature golf.

Councillor Smith asked Mr. Tuohy to describe the work force for Greattimes and the amount of payroll. Mr. Tuohy replied that there will be approximately 70 to 80 full- and part-time employees and the payroll would amount to \$35,000 to \$45,000 a month.

Councillor Beadling stated that she works in Castleton and the traffic is usually a gridlock. She said Greattimes is a great amusement center but she would like to see it at another location--perhaps along Pendleton Pike. She also expressed her concern over children walking to the amusement park.

Councillor Franklin stated that 82nd Street in Castleton is probably the busiest in Indianapolis. He said that he will not be able to support the rezoning of this property for an amusement park.

Councillor Golc asked if this rezoning dispute is negotiable. Mr. Stober said that an amusement part is not compatible with the other businesses along Castleton Road.

Councillor Dowden said that this amusement park will definitely add to the traffic congestion in Castleton. Wheaton Van Lines has been a good corporate citizen and its future should be a primary concern to this Council along with the other businesses in that area. He urged the Councillors to vote not to support the Metropolitan Development Commission's recommendation.

The President reminded the Councillors that to sustain the lower body will take 12 green votes; to reject the lower body will take 18 red votes. The Metropolitan Development Commission's decision was sustained and Proposal No. 130, 1994 was adopted by the following roll call vote; viz:

*12 YEAS: Black, Boyd, Brents, Gilmer, Golc, Gray, Jimison, Jones, Mullin, Schneider, Short, Williams*

*17 NAYS: Beadling, Borst, Coughenour, Curry, Dowden, Franklin, Giffin, Hinkle, McClamroch, Moriarty Adams, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Smith, West*

Proposal No. 130, 1994 was retitled REZONING ORDINANCE NO. 37, 1994 and is identified as follows:

REZONING ORDINANCE NO. 37, 1994. 93-Z-157 LAWRENCE TOWNSHIP.  
COUNCILMANIC DISTRICT # 4.

7990 CASTLETON ROAD (approximate address), INDIANAPOLIS.

M & R PARTNERSHIP, by Brian J. Tuohy, requests the rezoning of 18.422 acres, being in the I-2-S District, to the C-5 classification to provide for a family entertainment center.

## **INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 137, 1994. Introduced by Councillor Boyd. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing the Mayor to submit an application to the Indiana Housing Finance Authority for HOME Investment Funding on behalf of the Center Township Trustee"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 138, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving the leasing of farmland on Marion County Healthcare Center property by the Board of County Commissioners"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 139, 1994. Introduced by Councillor Ruhmkorff. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$173,257 for the County Recorder to purchase additional terminals and upgrade computer system"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 140, 1994. Introduced by Councillors O'Dell and Gray. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION providing Council endorsement and support for the City's Youth Fair Chance Demonstration Project Proposal"; and the President referred it to the Community Affairs Committee.



PROPOSAL NO. 141, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION approving the Mayor's appointment of Daniel T. Kozlowski as Director of the Department of Metropolitan Development"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 142, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Phyllis Carr to the Urban Enterprise Association"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 143, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE approving transfer of certain territory located at 4000 9th Avenue from the Consolidated City of Indianapolis to the City of Beech Grove"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 144, 1994. Introduced by Councillor Shambaugh. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE recodifying and amending the Code, Division 1, Article IV, Chapter 8, Buildings and Construction"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 145, 1994. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION approving the Mayor's appointment of Leon E. Younger as Director of the Department of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 146, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION approving the Mayor's appointment of Michael E. Beaver as Director of the Department of Public Safety"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 147, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing David W. Hamilton to the Marion County Public Defender Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 148, 1994. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$15,444 for the Presiding Judge of the Municipal Court to replace equipment taken through creation of the new Public Defender Agency"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 149, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$2,500 for the Superior Court, Criminal Division, Room Five, to cover 1994 maintenance agreement costs"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 150, 1994. Introduced by Councillor Mullin. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$24,000 for the Prosecuting Attorney to utilize a state grant to organize a series of anti-gang training workshops for law



enforcement agencies sponsored by Project COURAGE"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 151, 1994. Introduced by Councillor Mullin. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$75,000 for the Prosecuting Attorney to conduct a comprehensive traffic safety program in Marion County funded by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 152, 1994. Introduced by Councillor Mullin. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$24,500 for the Prosecuting Attorney to utilize a state grant to conduct a study to determine if racial disparity exists in the adult and juvenile criminal justice systems in Marion County"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 153, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$98,296 for the Superior Court, Juvenile Division/Detention Center, to pay the first year of a three year lease/purchase arrangement with the Indiana Bond Bank for a computer upgrade"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 154, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$24,091 for the Superior Court, Juvenile Division/Detention Center, to cover service charges on computers and to purchase one modem for the court"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 155, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION approving the Mayor's appointment of Michael B. Stayton as Director of the Department of Public Works"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 156, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE approving an agreement between the City of Indianapolis and the Town of Speedway for sewage transportation and treatment services"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 157, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE approving an agreement between the City of Indianapolis and the City of Beech Grove to authorize Indianapolis to review and grant stormwater permits and enforce drainage regulation within the City of Beech Grove"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 158, 1994. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION approving the Mayor's appointment of Joseph E. Loftus as Deputy Mayor and Director of the Department of Administration"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 159, 1994. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION approving the Mayor's appointment of Nancy Silvers as Deputy Mayor"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 160, 1994. Introduced by Councillors Short and Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code concerning smoking restrictions in local governmental buildings"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 161, 1994. Introduced by Councillors SerVaas, Beadling, Borst, Coughenour, Curry, Franklin, Gilmer, McClamroch, O'Dell, Rhodes and Smith. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Revised Code to clarify responsibility and establish procedures for re-allocation and reconstruction of space in the City-County Building"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 162, 1994. Introduced by Councillors SerVaas, Beadling, Borst, Coughenour, Curry, Franklin, Gilmer, McClamroch, O'Dell, Rhodes and Smith. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION designating the east and west wings of the City-County Building for court facilities and approving securing those wings from unauthorized access"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 163, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION approving the Mayor's appointment of Greg L. Henneke as Director of the Department of Capital Asset Management"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 164, 1994. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing stop signs for Arbor Wood subdivision (District 18)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 165, 1994. Introduced by Councillor Golc. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Raymond Street and Beulah Avenue (District 17)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 166, 1994. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Alabama Street and 19th Street (District 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 167, 1994. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at New Jersey Street and 19th Street (District 22)"; and the President referred it to the Capital Asset Management Committee.



PROPOSAL NO. 168, 1994. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by deleting a 35 mph speed limit for Tansel Road between Crawfordsville Road and Raceway Road (District 18)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 169, 1994. Introduced by Councillors Gilmer and Brents. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a change in parking restrictions for Monument Circle and its Meridian Street and Market Street spokes (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 170, 1994. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing the parking restrictions on segments of New York Street (District 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 171, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Glenda Smith to the Community Centers of Indianapolis Board"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 177, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Larry J. Barrett to the Beech Grove Economic Development Commission"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 178, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Charlotte MacBeth to the Juvenile Detention Center Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 179, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Ann Curry to the Animal Control Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 192, 1994. Introduced by Councillor Shambaugh. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION affirming Council support for the Capital Improvements Board to proceed with a new downtown baseball stadium"; and the President referred it to the Rules and Public Policy Committee.

Councillor Short asked why Proposal No. 192, 1994 is referred to the Rules and Public Policy Committee instead of the Municipal Corporations Committee. The President replied that the Rules and Public Policy Committee was formed to consider all matters having to do with public policy and in particular for matters in which new bonds and new taxes were to be considered.

Councillor Short asked Municipal Corporations Committee Chairman Schneider if he would have a problem if this proposal was referred to his Committee. Councillor Schneider replied that he will hear it if that is the wish of the Council. Councillor Short moved that Proposal No. 192, 1994 be assigned to the Municipal Corporations Committee. Councillor Shambaugh seconded this motion. This motion passed by the following roll call vote; viz:

*16 YEAS: Beadling, Black, Dowden, Giffin, Golc, Gray, Jones, McClamroch, Moriarty Adams, Mullin, Schneider, SerVaas, Shambaugh, Short, Smith, Williams*  
*12 NAYS: Borst, Boyd, Brents, Coughenour, Curry, Franklin, Gilmer, Hinkle, Jimison, O'Dell, Ruhmkorff, West*  
*1 NOT VOTING: Rhodes*

Proposal No. 192, 1994 is referred to the Municipal Corporations Committee.

### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NOS. 180-184, 1994. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on March 18, 1994." The Council did not schedule Proposal Nos. 180-184, 1994 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 180-184, 1994 were retitled REZONING ORDINANCE NOS. 26-30, 1994 and are identified as follows:

REZONING ORDINANCE NO. 26, 1994. 93-Z-175 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 22.  
1201 NORTH DELAWARE STREET (approximate address), INDIANAPOLIS.  
JEHOVAH'S WITNESS ASSEMBLY requests the rezoning of 0.90 acre, being in the D-8 District, to the SU-1 classification to provide for church uses.

REZONING ORDINANCE NO. 27, 1994. 94-Z-11 LAWRENCE TOWNSHIP.  
COUNCILMANIC DISTRICT # 4.  
7502 NORTH SHADELAND AVENUE (approximate address), INDIANAPOLIS.  
GLENDALE PARTNERS, by Thomas Michael Quinn, requests the rezoning of 9.582 acres, being in the D-6II District, to the C-S classification to provide for office and neighborhood commercial uses.

REZONING ORDINANCE NO. 28, 1994. 94-Z-17 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 22.  
502 NORTH COLLEGE AVENUE (approximate address), INDIANAPOLIS.  
BARTON HOUSE CORPORATION and ESTATE OF MYRTLE L. HALL, by Richard L. Brown, request the rezoning of 1.82 acres, being in the I-3-U District, to the CBD-2 classification to provide for a mix of attached multi-family residential, office, retail and service uses.

REZONING ORDINANCE NO. 29, 1994. 94-Z-20 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 22.  
640-644 EAST 10TH STREET (approximate address), INDIANAPOLIS.  
DORIS E. WRIGHT requests the rezoning of 0.0827 acre, being in the D-10 District, to the D-8 classification to provide for residential use.

REZONING ORDINANCE NO. 30, 1994. 94-Z-21 LAWRENCE TOWNSHIP.  
COUNCILMANIC DISTRICT # 5.  
10603 PENDLETON PIKE (approximate address), LAWRENCE.  
SANDERS DEVELOPMENT GROUP, INC., by Thomas Michael Quinn, requests the rezoning of 15.29 acres, being in the D-A, D-5II, and C-1 Districts, to the C-4 classification to provide for commercial use.

PROPOSAL NOS. 185-191, 1994. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on March 18, 1994."



Councillor Rhodes made the following motion:

Mr. President:

I move that Proposal No. 191, 1994 (Rezoning Petition No. 94-Z-30 be scheduled for a hearing before this Council at its next regular meeting on April 11, 1994 at 7:00 p.m. and that the Clerk read the announcement of such hearing and enter same in the minutes of this meeting.

This motion passed by unanimous voice vote. Proposal No. 191, 1994 is identified as follows:

94-Z-30 WASHINGTON TOWNSHIP. COUNCILMANIC DISTRICT # 7.  
6219 GUILFORD AVENUE (approximate address), INDIANAPOLIS.  
INDIANAPOLIS-MARION COUNTY PUBLIC LIBRARY, by Daniel B. Altman, requests the rezoning of 0.29 acre, being in the D-5 District, to the C-S classification to provide for permitted C-3C District uses (except for eating place or any type of restaurant).

The Council did not schedule Proposal Nos. 185-190, 1994 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 185-190, 1994 were retitled REZONING ORDINANCE NOS. 31-36, 1994 and are identified as follows:

REZONING ORDINANCE NO. 31, 1994. 94-Z-12 (Amended) PERRY TOWNSHIP.  
COUNCILMANIC DISTRICT # 20.  
7418-7420 MADISON AVENUE (approximate address), INDIANAPOLIS.  
THOMAS J. METZLER, by William F. LeMond, requests the rezoning of 3 acres, being in the D-A District, to the C-S classification to provide for the installation of mini-warehouse facilities to the rear of an existing hobby shop and bakery shop.

REZONING ORDINANCE NO. 32, 1994. 94-Z-16 WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 17.  
511 SOUTH TIBBS AVENUE (approximate address), INDIANAPOLIS.  
TANK ENVIRONMENTAL TECHNOLOGIES, by Joseph D. Calderon, request the rezoning of 2.4 acres, being in the D-5 District, to the I-2-S classification to provide for the construction of a small office, a facility for the storage of vehicles/equipment and minimal outside storage of equipment for an environmental contracting firm.

REZONING ORDINANCE NO. 33, 1994. 94-Z-24 WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 17.  
3977 WEST 10TH STREET (approximate address), INDIANAPOLIS.  
ASPLUNDH TREE EXPERT CO., by Stephen D. Mears, requests the rezoning of 0.98 acre, being in the D-5 District, to the C-ID classification to provide for commercial and/or industrial uses.

REZONING ORDINANCE NO. 34, 1994. 94-Z-26 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 15.  
12 NORTH RURAL STREET (approximate address), INDIANAPOLIS.  
GOOD NEWS MISSION, INC., requests the rezoning of 0.1147 acre, being in the D-5 District, to the SU-7 classification to conform the existing charitable and philanthropic use with an appropriate zoning designation.

REZONING ORDINANCE NO. 35, 1994. 94-Z-28 (Corrected) WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 17.  
2236 & 2240 W. HOWARD ST. (approximate address), INDIANAPOLIS.  
HABITAT FOR HUMANITY OF GREATER INDIANAPOLIS, INC. requests the rezoning of 0.18 acre, being in the C-1 District, to the D-5 classification to provide for the construction of two single-family residences.

REZONING ORDINANCE NO. 36, 1994. 94-Z-29 (Corrected) WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 17.  
2201 & 2205 W. HOWARD ST. (approximate address), INDIANAPOLIS.  
HABITAT FOR HUMANITY OF GREATER INDIANAPOLIS, INC. requests the rezoning of 0.19 acre, being in the C-1 District, to the D-5 classification to provide for the construction of two single-family residences.

## SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 26, 1994. The proposal appropriates \$8,413 for the Superior Court, Criminal Division, Room Five, to fund an additional clerk's position. Councillor Dowden asked for consent to postpone Proposal No. 26, 1994 until April 11, 1994. Consent was given.

PROPOSAL NO. 71, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 71, 1994 on March 16, 1994. The proposal appropriates \$652,500 for the Department of Administration, Administrative Services Division, to finance the Neighborhood Revitalization Initiative program funded by private foundation grants. Councillor Rhodes said that this is a two-year program for neighborhood revitalization in seven neighborhoods. This program will include a neighborhood coordinator and a project fund for each neighborhood. It will also purchase training assistance from the Neighborhood Resource Center (NRC) and develop a data system. Councillor Rhodes said that the Committee was concerned about the future funding of this program after two years. Proposal No. 71, 1994 was amended in Committee to include the Patterson amendment, which states that the Council will not commit any tax funds once the grant funds are reduced or eliminated. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Curry asked who is responsible for paying and maintaining the data system. Charlene Hederick, Senior Executive Assistant, Mayor's Office, and Chief of Staff for Deputy Mayor Nancy Silvers, replied that the data link system component is a pilot that the City is trying to develop. It will be a software package to work with one particular neighborhood to see if it can be linked to other social service agencies in an attempt to better deliver services to the neighborhood. There is a specific amount of funding allocated for the program and when those dollars are gone the program will be eliminated.

Councillor Boyd asked if there is a formula for the distribution of funds to the targeted areas. Ms. Hederick responded that there is a specific amount of money set aside for each of the targeted neighborhoods to hire a neighborhood coordinator and there are funds available for neighborhood projects.

Councillor Boyd asked if the neighborhood projects have to be approved before they will be funded. Ms. Hederick responded that there is \$50,000 set aside per neighborhood for the funding of those projects. There is no formal approval process, but the City will work with the neighborhoods and will know what their projects are prior to disbursing the money.

Councillor Boyd asked who will hire the neighborhood coordinators. Ms. Hederick said that if the targeted neighborhoods want to take advantage of these funds, that they must come together under one umbrella group. The group will then develop a job description, advertise, and hire a neighborhood coordinator. Councillor Boyd asked if there had been any thought given to settling disagreements among the neighborhoods. Ms. Hederick said that the NRC is willing to help arbitrate any disagreements.

Councillor Golc asked what is the difference between the township administrator and the neighborhood coordinator. Ms. Hederick replied that the township administrator is responsible for the total township; the neighborhood coordinator is responsible for the



neighborhoods that make up a targeted area. The neighborhood coordinator acts as support staff to the neighborhood association and their leaders.

Councillor Williams said that several of these neighborhoods are in her Council district. This urban renewal has created absolutely unbelievable amounts of work on very busy people. The neighborhoods have let the City know that they need help. Councillor Williams said that she believes this program is very important and supports this proposal.

Councillor O'Dell asked how much will the neighborhood coordinator be paid. Ms. Hederick replied that the approximate salary for a coordinator will be \$24,000.

Councillor Hinkle asked if this pilot program is successful, how will the City pay for this once the grant runs out. James Steele, Jr., City Controller, said that at the end of the two-year program the Department of Metropolitan Development will have to make a decision. Perhaps there are existing programs that do not merit the funding levels that they are now receiving. If this program becomes a priority then it would be funded over some other program.

Councillor Borst asked what kind of complaints will the neighborhood coordinator follow up on. Ms. Hederick responded that the coordinator will follow up on whatever complaints the neighborhood asks them to. Councillor Borst asked what kind of projects will the coordinator manage. Ms. Hederick said that it depends on the neighborhoods. Two of the neighborhoods are considering community centers; one neighborhood wants to re-roof its neighborhood office; and one neighborhood wants to set up a youth program.

Councillor Borst said that he has a problem with this program. He said that he made a list of ten groups that do the very same things this program will be doing. Councillor Borst moved to postpone Proposal No. 71, 1994 until the next Council meeting. Councillor Dowden seconded the motion. Councillor Dowden said that he believes that if the City really wants to deliver these services to the neighborhoods it would be better to divide the funds among the twenty-five districts rather than creating another bureaucracy.

Councillor Smith said he believes the money would be better spent on the individual instead of the neighborhood. Ms. Hederick said that the appropriation is from grants to be used solely for this purpose and the City is not at liberty to reallocate the funds.

Councillor Gray stated that the neighborhoods are fully aware that this is grant money and it is a two-year program. He supports this proposal. Councillor Brents said that two of the targeted areas are in her district and she asked the Councillors to support the proposal. Councillor Short voiced his opposition to the Councillor Borst's motion to postpone and urged the Councillors to pass the proposal.

Councillor Jimison asked if there any plans to include additional neighborhoods which are excluded by this program. Ms. Hederick said that there are no plans at this time to include more neighborhoods.

Councillor Borst's motion to postpone Proposal No. 71, 1994 failed by the following roll call vote; viz:

March 21, 1994

14 YEAS: Borst, Dowden, Giffin, Gilmer, Hinkle, Jimison, McClamroch, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith

15 NAYS: Beadling, Black, Boyd, Brents, Coughenour, Curry, Franklin, Golc, Gray, Jones, Moriarty Adams, Ruhmkorff, Short, West, Williams

Councillor McClamroch moved to end debate. This motion passed by unanimous voice vote.

The President called for public testimony at 10:59 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor Brents, for adoption.

Proposal No. 71, 1994, as amended, was adopted on the following roll call vote; viz:

15 YEAS: Black, Boyd, Brents, Coughenour, Franklin, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, Short, West, Williams

14 NAYS: Beadling, Borst, Curry, Dowden, Giffin, Gilmer, Hinkle, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith

Councillors Boyd, O'Dell and Curry asked for consent to explain their votes. Consent was given. Councillor Boyd said that he wishes the Mayor had the respect to talk with this Council about what he is doing. The Mayor initiates programs and then the Council is painted as the "bad guys" because it is concerned about such mundane things as budgets and accountability.

Councillor O'Dell said that he voted against this proposal because of the high administrative cost of this program. Councillor Curry said that he voted against this proposal because he does not believe this pilot program knows where it is going.

Proposal No. 71, 1994, as amended, was retitled FISCAL ORDINANCE NO. 4, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 4, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Six Hundred Fifty-two Thousand Five Hundred Dollars (\$652,500) in the Consolidated County Fund for purposes of the Department of Administration, Administrative Services Division, and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Administration, Administrative Services Division, to finance the Neighborhood Revitalization Initiative program funded by private foundation grants.

SECTION 2. The sum of Six Hundred Fifty-two Thousand Five Hundred Dollars (\$652,500) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF ADMINISTRATION  
ADMINISTRATIVE SERVICES DIVISION  
3. Other Services and Charges  
TOTAL INCREASE

CONSOLIDATED COUNTY FUND  
\$652,500  
\$652,500



SECTION 4. The said additional appropriation is funded by the following reduction:

	<u>CONSOLIDATED COUNTY FUND</u>
Unappropriated and Unencumbered	
Consolidated County Fund	<u>\$652,500</u>
TOTAL REDUCTION	<u>\$652,500</u>

SECTION 5. This City-County Council has no intention of supplementing or financing the agency and/or projects approved herein by use of revenues from any local tax regardless of source. At anytime that knowledge is received that the state or federal financing of this agency or project is, or will be, reduced or eliminated, the supervisor or the city controller, or both, are directed to notify the City-County Council in writing of such proposed loss of revenue.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 113, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 113, 1994 on March 2, 1994. The proposal appropriates \$66,000 for Metropolitan Emergency Communications Agency to fund shortfall in its 1994 budget caused by conversion from City to County payroll and to cover increase in data circuit charges. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

The President called for public testimony at 11:03 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 113, 1994, as amended, was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Gray, Hinkle, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

4 NOT VOTING: *Giffin, Golc, Jimison, Moriarty Adams*

Proposal No. 113, 1994, as amended, was retitled FISCAL ORDINANCE NO. 5, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 5, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 72, 1993) appropriating an additional Sixty-six Thousand Dollars (\$66,000) in the Metropolitan Emergency Communications Agency (MECA) Fund for purposes of MECA and reducing the unappropriated and unencumbered balance in the MECA Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of MECA's annual budget, Section 1 of MECA's Annual Budget for 1994 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of MECA to fund shortfall in its 1994 budget caused by conversion from City to County payroll and to cover increase in data circuit charges.

SECTION 2. The sum of Sixty-six Thousand Dollars (\$66,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>MECA</u>	<u>MECA FUND</u>
3. Other Services and Charges	<u>\$66,000</u>
TOTAL INCREASE	<u>\$66,000</u>

March 21, 1994

SECTION 4. The said additional appropriations are funded by the following reductions:

	<u>MECA FUND</u>
Unappropriated and Unencumbered	
MECA Fund	<u>\$66,000</u>
TOTAL REDUCTION	<u>\$66,000</u>

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 114, 1994. The proposal appropriates \$19,138 for the Court Administrator Agency to defray the cost of the second and last phase of the construction project of its new offices. Councillor Dowden asked for consent to strike Proposal No. 114, 1994. Consent was given.

PROPOSAL NO. 115, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 115, 1994 on March 2, 1994. The proposal, sponsored by Councillor Borst, appropriates \$30,000 for Forensic Services Agency to cover supplies and equipment to train an Arab police examiner in DNA analysis funded by Abu Dhabi and deposited in the County General Fund last year. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 11:06 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor West, for adoption. Proposal No. 115, 1994 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
0 NAYS:  
3 NOT VOTING: *Brents, Golc, Hinkle*

Proposal No. 115, 1994 was retitled FISCAL ORDINANCE NO. 6, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 6, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Thirty Thousand Dollars (\$30,000) in the County General Fund for purposes of the Forensic Services Agency and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (z) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Forensic Services Agency to cover supplies and equipment to train an Arab police examiner in DNA analysis. The \$30,000 was provided by Abu Dhabi and deposited in the County General Fund last year.

SECTION 2. The sum of Thirty Thousand Dollars (\$30,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:



FORENSIC SERVICES AGENCY

2. Supplies  
3. Other Services and Charges  
4. Capital Outlay  
TOTAL INCREASE

COUNTY GENERAL FUND

\$20,000  
3,000  
7,000  
\$30,000

SECTION 4. The said additional appropriations are funded by the following reductions:

Unappropriated and Unencumbered  
County General Fund  
TOTAL REDUCTION

COUNTY GENERAL FUND

\$30,000  
\$30,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 31, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 31, 1994 on March 16, 1994. The proposal amends Chapter 8½ of the Code concerning cable television. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Coughenour, for adoption. Proposal No. 31, 1994 was adopted on the following roll call vote; viz:

*27 YEAS: Beadling, Black, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

*1 NAY: Brents*

*1 NOT VOTING: Hinkle*

Proposal No. 31, 1994 was retitled GENERAL ORDINANCE NO. 37, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 37, 1994

A PROPOSAL FOR A GENERAL ORDINANCE amending Chapter 8½ of the Code of Indianapolis and of Marion County, Indiana.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sec. 8½-41 be and is hereby amended by deleting the stricken-through text and adding the underlined text to read as follows:

Sec. 8½-41. Procedure for granting special cable franchises.

(a) Any person interested in operating only a limited cable system providing landlord restricted cable services, may in lieu of the procedures in Sec. 8½-21, apply for a special cable franchise by complying with this section.

(b) Any person interested in obtaining one or more special cable television franchises may apply to the board. The board shall prescribe the form of such application which shall require:

- (1) a diagram map showing the geographic area or areas for which the franchise is requested, and describing such areas with sufficient particularity as to enable a reasonable determination of the boundaries of such area and the proposed location of the facilities of the limited cable system;

- (2) evidence that the applicant is either currently operating a limited cable system or has the financial, legal and technical qualifications to construct, operate and maintain a limited cable television system;
  - (3) evidence that the owner or manager of each multiple-unit dwelling to be served by the limited cable system has agreed to receive such service, which evidence may consist of a certification from such owner or manager certifying to the existence of a private cable service contract between such owner or manager and the applicant, ~~and a description of the property and stating the expiration date of the term of such private cable service contract;~~
  - (4) descriptions of the cable services to be provided subscribers, of any other services or uses of the system, and of the rate structure to be charged for such services upon the grant of the franchise;
  - (5) a designation of channel capacity for public, educational and governmental access, proposing either (i) interconnection with an operator currently franchised by the city or (ii) the facilities and capacity (which may consist of playback equipment) for providing subscribers with public, educational and governmental access programming substantially equivalent to that provided by other franchises; and
  - (6) an application fee of either three thousand dollars (\$3,000) if the applicant is not a current franchisee or one thousand five hundred dollars (\$1,500) if the applicant is a current holder of a special cable franchise; and
  - (7) the number of multiple dwelling units included in a proposed franchise area that are being served under private cable service contracts that expire in less than four years from the date of the franchise application.
- (c) An applicant for a special cable franchise may include in the application and a single franchise may be granted for more than one limited cable system in more than one geographic area within the city.
- (d) Upon the submission of the application and the application fee, the board shall publish notice of and hold a public hearing on the application within sixty (60) days of the receipt thereof. At the conclusion of the public hearing (which may be continued beyond the sixty (60) days with consent of the applicant), the board shall recommend to the city-county council to grant the special cable franchise if the following is established:
- (1) the applicant has the financial, legal and technical qualifications to operate the special cable system, provided that if at the time of its application, applicant is providing limited cable television service in all or part of the geographic area or areas to which its application applies such facts shall be evidence of such qualification;
  - (2) the grant of the special cable franchise will not have a material adverse effect on the economic ability of any other operator to fulfill any franchise obligation to assure that access to cable service is not denied to any group of potential residential cable subscribers because of the income of the residents of the local area in which such group resides;
  - (3) the proposed facilities to be constructed under the franchise will not substantially and unreasonably interfere with current or planned uses of the public ways; and
  - (4) the application complies with the requirements of subsection (b).
- (e) In the event one or more of the requirements set forth in subsection (d) is not established, the board shall advise the city-county council that the application is denied. The applicant may within ten (10) days of such decision request the council committee to review such decision.
- (f) The board shall include in its recommendation written findings of fact on the requirements specified in subsection (d), and if its recommendation is to grant a franchise, a proposed franchise agreement which is consistent with the terms of the application and the requirements of this chapter. Such findings and proposed franchise agreement shall be approved by the board no later than the next monthly meeting of the board following the public hearing. The time for taking such action may be extended by the board with the consent of the applicant.
- (g) The board's recommendation to grant a special cable franchise shall be filed with the clerk and referred to the council committee responsible for cable franchising. At its first regularly scheduled meeting held more than ten (10) days following the receipt of such recommendation the committee shall determine whether it would be in the public interest to recommend the issuance of the special cable franchise, and cause to be



introduced to the council an ordinance or resolution which would confirm such determination and approve a franchise agreement.

(h) A final decision denying an application is subject to appeal in the same manner as the denial of a franchise under the Act.

SECTION 2. Section 8½-46 of the Code of Indianapolis and of Marion County, Indiana is amended by deleting the stricken-through text and inserting the underlined text to read as follows:

Sec. 8½-46. Term of special cable franchise.

(a) A special cable franchise granted under this Chapter shall expire upon the date stated in the franchise agreement, subject to the renewal provisions of the Act and this Chapter.

(b) The geographic area of a special cable franchise shall be the separate limited cable service areas described in the franchise agreement including expansions approved under Sec. 8 1/2 - 45; provided, that ninety (90) days after a private cable service contract to serve a separate limited cable service area expires by its terms or is terminated, such area shall no longer be included in the geographic area of such franchise unless extended within such ninety (90) day period. Provided, however, if the termination of such private cable service contract is the result of foreclosure, bankruptcy or insolvency of the owner or manager of the multiple-unit dwellings served under such private cable service contract and such dwellings are being managed under judicial supervision, said ninety (90) day period shall be tolled until such dwellings are transferred to a new owner or manager. ~~At any time prior to the end of such ninety (90) day period, if the operator files with the board a certification by the owner or manager that the private cable service contract has been renewed or extended, specifying the new termination date, the separate limited service area shall remain within the franchise area.~~

(c) Whenever under the terms of subsection (b) a separate limited cable service area ceases to be within the geographic area of a special cable franchise, the operator within thirty (30) days shall certify to the executive secretary of the cable franchise board the description of such separate limited cable service area.

SECTION 3. Sec. 8½-6 of the Code of Indianapolis and of Marion County, Indiana is amended by deleting the stricken-through text and inserting the underlined text to read as follows:

Sec. 8½-6. Franchise's not exclusive.

(a) The granting of a cable franchise shall not grant the operator any rights to exclude any other franchised operator from providing services within the geographic areas included in the cable franchise.

(b) Any agreement between the operator and the owner which restricts other franchised operators from providing services to the occupants of those units may be enforced only to the extent valid from time to time under applicable law. To the extent that such agreements may, at any time, become unenforceable under applicable law which applies to all franchise holders, the operator under a franchise shall take no action to enforce such exclusive rights.

(c) On or before January 1, 1997, the operator, under a franchise that is issued or renewed after May 1, 1994, shall file with the cable franchise board a list of all private cable service contracts which purport to grant operator an exclusive right to provide cable services to occupants of multiple dwelling units. Such list shall identify the owner or manager that made the agreement, the location of the units covered by the agreement, and the date the agreement expires. Thereafter, the operator shall file an amended or supplemental list within thirty days after any change in such information becomes known to operator.

(ed) To the extent that payments are made to the owner or manager of a multiple dwelling unit for exclusive rights to provide cable services within a multiple dwelling unit, such payments shall not be deemed a cost of providing service for purposes of establishing rates to be charged to consumers of the cable television services.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 112, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 112, 1994 on March 2, 1994. The proposal transfers and appropriates \$2,073,000 for the Department of Public Safety, Police Division, to consolidate 1994 cumulative capital funds in Character 04 to purchase police patrol

vehicles. This appropriation will fund a proposed take-home car program which will allow 37% of Indianapolis Police Department (IPD) officers to take home marked cars. By a 3-0-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Jimison asked if the officers who will be taking these cars home live in the suburbs or in the city. James Toler, Chief, IPD, answered that the take-home cars will be distributed on a seniority basis; residency was not taken into consideration. Councillor Jimison said that she understands that this program has funding for about three years. She asked where will the funding come from to support this program after the three-year period. Danny Overley, Deputy Chief, IPD, stated that the funding for this program is from the City Cumulative Capital Development Fund and will be the same for 1997, 1998 and 1999 as it is for 1994, 1995 and 1996.

Councillor West stated that he believes there will be additional maintenance and operating expense incurred with this program and asked how it will be paid. Deputy Chief Overley responded that a survey was done in 1991 comparing 44 new vehicles of take-home and non take-home status. The operating cost for a fleet vehicle to be operated 24 hours a day was estimated to be \$8800 a year and in a like vehicle to be operated 8 hours a day was \$2800.

Councillor Smith said that he was in a take-home car program in the early 1970's. Crime dropped 14% the first month the program was instituted and the police morale went up immediately. He believes it would happen again with this program.

Councillor Gray stated that he has no problem with the take-home car program, but he will be interested to find out where these officers live and if the program will really help the situation in the police district where there is the most crime. Chief Toler said that most of the police officers do not live in the old police service district.

Councillor Coughenour said she does not think the take-home cars should be determined on seniority, but rather the cars should be issued to officers who live in high-crime areas.

Councillor Jones asked if there are any incentives for police officers to live in the old police district. Chief Toler said IPD does not offer that kind of incentive at this time.

Councillor Williams asked if the take-home cars are considered a fringe benefit. Deputy Chief Overley answered that has not been part of any negotiations that IPD has had in terms of benefit or salary with the Fraternal Order of Police. Councillor Williams said that she would be an advocate of giving home ownership incentives to officers to come back and live in the city. Chief Toler said that he would assign someone from his department to take the initiative to get that program started.

Councillor Dowden moved to amend Proposal No. 112, 1994 by renumbering Section 5 as Section 6 and adding a new Section 5 to read as follows:

SECTION 5. The director of Public Safety is directed not to place in service the last one hundred thirty (130) patrol cars purchased with this appropriation until this Council by resolution approves the assignment of such vehicles.



Councillor Moriarty Adams asked for consent to abstain from voting both on the amendment and the proposal because of the appearance of a possible conflict. Consent was given.

Councillor Dowden's motion passed by unanimous voice vote.

Proposal No. 112, 1994, as amended, was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

2 NOT VOTING: *Gray, Moriarty Adams*

Councillor Beadling stated that she believes the take-home program would benefit all of Marion County, not just certain areas. Councillor Franklin said he agrees with Councillor Beadling, but there is more crime in some neighborhoods than others.

Proposal No. 112, 1994, as amended, was retitled FISCAL ORDINANCE NO. 7, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 7, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Two Million Seventy-three Thousand Dollars (\$2,073,000) in the City Cumulative Capital Development Fund for purposes of the Department of Public Safety, Police Division, and reducing certain other appropriations for that division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (m) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division, to consolidate 1994 cumulative capital funds in Character 04 to allow application of funds to purchase police patrol vehicles.

SECTION 2. The sum of Two Million Seventy-three Thousand Dollars (\$2,073,000) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

DEPARTMENT OF PUBLIC SAFETY

POLICE DIVISION

4. Capital Outlay  
TOTAL INCREASE

CITY CUMULATIVE CAPITAL DEVELOPMENT FUND

\$2,073,000  
\$2,073,000

SECTION 4. The said increased appropriation is funded by the following reduction:

DEPARTMENT OF PUBLIC SAFETY

POLICE DIVISION

3. Other Services and Charges  
TOTAL REDUCTION

CITY CUMULATIVE CAPITAL DEVELOPMENT FUND

\$2,073,000  
\$2,073,000

SECTION 5. The director of public safety is directed not to place in service the last one hundred thirty (130) patrol cars purchased with this appropriation until this Council by resolution approves the assignment of such vehicles.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 116, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 116, 1994 on March 2, 1994. The proposal amends the Code by updating the county corrections fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 116, 1994 was adopted on the following roll call vote; viz:

26 YEAS: *Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

3 NOT VOTING: *Beadling, Giffin, Ruhmkorff*

Proposal No. 116, 1994 was retitled GENERAL ORDINANCE NO. 38, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 38, 1994

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County by amending Sec. 2-358, of Article IX, Chapter 2.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sec. 2-358 of Article IX, Chapter 2 of the Code of Indianapolis and Marion County is hereby amended by inserting the words underlined and deleting the words stricken-through as follows:

Sec. 2-358. County corrections fund.

(a) The city-county council hereby elects to receive deposits from the department of corrections in accordance with IC 11-12-6.

(b) The city-county council hereby elects to receive such deposits at level 3 funding. Level 3 funding shall be equal to \$3,500 times 84 (Marion County base integer) or \$294,000 for the year ending April 30, ~~1994~~ 1995.

(c) There is hereby created a "county corrections fund", to be administered by the city-county council. The fund shall consist of deposits received from the department of corrections in accordance with IC 11-12-6-13.

(d) The county corrections fund may be used only for funding the operation of the county jail, jail programs, or other local correctional facilities. Any money remaining in a county corrections fund at the end of the year does not revert to any other fund but remains in the county corrections fund.

SECTION 2. (a) The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

(b) An offense committed before the effective date of this ordinance, under any ordinance expressly or impliedly repealed or amended by this ordinance shall be prosecuted and remains punishable under the repealed or amended ordinance as if this ordinance has not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions can, without the invalid provision or provision, be given the effect intended by the council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.



PROPOSAL NOS. 118, 119, 120, 121, 122 and 123, 1994. Councillor Gilmer asked for consent to vote on these six transportation proposals together. Consent was given. PROPOSAL NO. 118, 1994. The proposal amends the Code authorizing intersection controls for Windcombe subdivision (District 2). PROPOSAL NO. 119, 1994. The proposal amends the Code by authorizing intersection controls for Quail Creek subdivision (District 24). PROPOSAL NO. 120, 1994. The proposal amends the Code by authorizing intersection controls for Lakeside Woods subdivision (District 1). PROPOSAL NO. 121, 1994. The proposal amends the Code by authorizing intersection controls for Admirals Sound subdivision (District 5). PROPOSAL NO. 122, 1994. The proposal amends the Code by authorizing intersection controls for the Brettonwood subdivision (Districts 1, 2). PROPOSAL NO. 123, 1994. The proposal amends the Code by authorizing intersection controls for Ashworth subdivision (District 1). Councillor Gilmer reported that the Capital Asset Management Committee heard these proposals on March 9, 1994. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Beadling, for adoption. Proposal Nos. 118, 119, 120, 121, 122 and 123, 1994 were adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Giffin*

Proposal No. 118, 1994 was retitled GENERAL ORDINANCE NO. 39, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 39, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
4, Pg. 3	Forest Blvd & Windcombe Blvd	None	None
4, Pg. 3	Forest Ln & 78th St	None	None
4, Pg. 3	Forest Ln & 82nd St	None	None
4, Pg. 3	Forest Ln & 83rd St	None	None
4, Pg. 4	Kimlough Av & 79th St	None	None
4, Pg. 8	Windcombe Blvd & 79th St	None	None

March 21, 1994

4, Pg. 8	Windcombe Blvd & 81st St	81st St	Yield
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SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
4, Pg. 3	Forest Blvd & Windcombe Blvd	Windcombe Blvd	Stop
4, Pg. 3	Forest Blvd SDR & Windcombe Blvd	Windcombe Blvd	Stop
4, Pg. 3	Forest Ln & 78th St	78th St	Stop
4, Pg. 3	Forest Ln & 79th St	79th St	Stop
4, Pg. 3	Forest Ln & 82nd St	82nd St	Stop
4, Pg. 3	Forest Ln & 83rd St	83rd St	Stop
4, Pg. 4	Kimlough Dr & 79th St	Kimlough Dr	Stop
4, Pg. 4	Windcombe Blvd & 79th St	Windcombe Blvd	Stop
4, Pg. 4	Windcombe Blvd & 81st St	81st St	Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 119, 1994 was retitled GENERAL ORDINANCE NO. 40, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 40, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
40, Pg. 4	Fairhope Dr & Pheasant Dr	Fairhope Dr	Stop
40, Pg. 4	Fairhope Dr & Quail Creek Blvd	Quail Creek Blvd	Stop
40, Pg. 4	Pheasant Ct & Pheasant Dr	Pheasant Dr	Yield



SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 120, 1994 was retitled GENERAL ORDINANCE NO. 41, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 41, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9, Pg. 3	Lakeside Woods Ci, Lakeside Woods Dr	Lakeside Woods Ci	Stop
9, Pg. 3	Lakeside Woods Dr, 71st St	71st St	Stop
9, Pg. 3	Lakeside Woods Ci, Marsh Rd	Marsh Rd	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 121, 1994 was retitled GENERAL ORDINANCE NO. 42, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 42, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
7, Pg. 1	Bay Breeze Ct, Bay Breeze Ln, & Woods Bay Ln	Woods Bay Ln	Stop
7, Pg. 1	Bay Breeze Ln & Old Stone Dr	Old Stone Dr	Stop
7, Pg. 1	Bay Tree Ct & Old Stone Dr	Old Stone Dr	Stop
7, Pg. 1	Calumet Dr & Old Stone Dr	Old Stone Dr	Stop
7, Pg. 1	Cloud Bay Ct & Woods Bay Ln	Woods Bay Ln	Yield

March 21, 1994

7, Pg. 2	Fairport Ci & Keyharbor Dr	Keyharbor Dr	Stop
7, Pg. 3	Keyharbor Dr & Old Stone Dr	Old Stone Dr	Stop
7, Pg. 3	Keyharbor Dr & Manitou Ct	Keyharbor Dr	Yield
7, Pg. 3	Moon Bay Ci & Old Stone Dr	Old Stone Dr	Yield
7, Pg. 3	Nautical Watch Dr & Woods Bay Ln	Woods Bay Ln	Yield
7, Pg. 3	Old Stone Dr & Otter Cove Ci	Old Stone Dr	Stop
7, Pg. 3	Old Stone Dr & Woods Bay Ln (11500 E)	Old Stone Dr	Stop
7, Pg. 3	Old Stone Dr & Woods Bay Ln (11000 E)	Woods Bay Ln	Stop
7, Pg. 3	Old Stone Dr & Sturgeon Bay Ln	Old Stone Dr	Stop
7, Pg. 3	Sawmill Ct & Woods Bay Ln	Woods Bay Ln	Yield
7, Pg. 4	Serpent Ci & Woods Bay Ln	Woods Bay Ln	Stop
7, Pg. 4	Spider Bay Ct & Woods Bay Ln	Woods Bay Ln	Yield

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 122, 1994 was retitled GENERAL ORDINANCE NO. 43, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 43, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
10, Pg. 1	Bretton Ci & Brotherwood Ct	Bretton Ci	Yield
10, Pg. 1	Bretton Ci & Wander Wood	Bretton Ci	Yield
10, Pg. 1	Bretton Wood Dr & Pondview Ct	Bretton Wood Dr	Yield



SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 123, 1994 was retitled GENERAL ORDINANCE NO. 44, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 44, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
1, Pg. 1	Greenridge Dr & Residence Dr	Greenridge Dr	Stop
1, Pg. 1	Greenridge Dr & Waterside Dr	Greenridge Dr	Stop
1, Pg. 1	Greenridge Dr & Worthington Ct	Greenridge Dr	Stop
1, Pg. 1	Greenridge Dr & 86th St	86th St	Stop
1, Pg. 2	Leppart Ct & Shamel Dr	Shamel Dr	Stop
1, Pg. 2	Modesto Ct & Shamel Dr	Shamel Dr	Stop
1, Pg. 2	Waterside Ct & Waterside Dr	Waterside Dr	Yield
1, Pg. 2	Worthington Ci & Worthington Ct	Worthington Ct	Yield

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 124, 125, 126 and 127, 1994. Councillor Gilmer asked for consent to vote on these four transportation proposals together. Consent was given. PROPOSAL NO. 124, 1994. The proposal amends the Code by authorizing a multi-way stop at High School Road and 52nd Street (District 1). PROPOSAL NO. 125, 1994. The proposal amends the Code by authorizing a traffic signal at Moller Way and Pike Plaza Road (District 9). PROPOSAL NO. 126, 1994. The proposal amends the Code by authorizing a multi-way stop at Cumberland Road, Muessing Street, and 10th Street (Districts 12, 13). PROPOSAL NO. 127, 1994. The proposal amends the Code by authorizing a loading zone on Indiana Avenue for Forest McGinnis Interiors, Inc. (District 16). Councillor Gilmer reported that the Capital Asset Management Committee heard these proposals on March 9, 1994. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Gray, for adoption. Proposal Nos. 124, 125, 126 and 127, 1994 were adopted on the following roll call vote; viz:

March 21, 1994

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Giffin*

Proposal No. 124, 1994 was retitled GENERAL ORDINANCE NO. 45, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 45, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
16, Pg. 7	High School Rd & 52nd St	None	All Way Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 125, 1994 was retitled GENERAL ORDINANCE NO. 46, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 46, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
16, Pg. 9	Moller Wy & Pike Plaza Rd	Pike Plaza Rd	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
16, Pg. 9	Moller Wy & Pike Plaza Rd	None	Signal

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 126, 1994 was retitled GENERAL ORDINANCE NO. 47, 1994 and reads as follows:



CITY-COUNTY GENERAL ORDINANCE NO. 47, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
28, Pg. 1	Cumberland Rd, Muessing St & 10th St	Cumberland Rd	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
28, Pg. 1	Cumberland Rd, Muessing St & 10th St	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 127, 1994 was retitled GENERAL ORDINANCE NO. 48, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 48, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-331, Passenger and material loading zones.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-331, Passenger and material loading zones, be, and the same is hereby amended by the deletion of the following, to wit:

Indiana Avenue, on the westside, from a  
point 98 feet northwest of Michigan Street, to  
a point 133 feet north from Michigan Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**ANNOUNCEMENTS AND ADJOURNMENT**

Robert Elrod, General Counsel, read the following announcement:

This Council will hold a public hearing on Rezoning Petition No. 94-Z-30, Council Proposal No. 191, 1994, at its next regular meeting on April 11, 1994, such meeting to convene at 7:00 p.m. in these Council Chambers in the City-County Building in Indianapolis. This petition proposes to rezone 0.29 acre at 6219 Guilford Avenue from D-5 to C-S to provide for permitted C-3C District uses (except for eating place or any type of restaurant).

March 21, 1994

Written objections that are filed with the Clerk of the Council shall be heard at such time, or the hearing may be continued from time to time as found necessary by the Council.

Councillor Boyd stated that he has been asked to offer the following motion for adjournment by:

- (1) Councillor Beadling in memory of Jacob Miller;
- (2) Councillor Smith in memory of John H. Root;
- (3) Councillor Boyd in memory of Louise Hern Green Waugh;
- (4) Councillor Franklin in memory of Charles Bernard Dinwiddie, Sr.; and
- (4) Councillors Boyd, McClamroch and SerVaas in memory of Raymond R. Ryder.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Jacob Miller, John H. Root, Louise Hern Green Waugh, Charles Bernard Dinwiddie, Sr., and Raymond R. Ryder. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 11:50 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 21st day of March 1994.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Acting Clerk of the Council

(SEAL)





**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, APRIL 11, 1994**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:10 p.m. on Monday, April 11, 1994, with Councillor SerVaas presiding.

Councillor Franklin led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The President instructed the Clerk to take the roll call. The roll call was as follows:

[Clerk's Note: Voting equipment was not working. All votes were taken manually.]

*27 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, West, Williams*  
*2 ABSENT: McClamroch, Smith*

A quorum of twenty-seven members being present, the President called the meeting to order.

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Curry introduced his wife Ann.

**OFFICIAL COMMUNICATIONS**

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION  
SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY,  
INDIANA.



*Journal of the City-County Council*

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, April 11, 1994, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Beurt SerVaas  
President, City-County Council

March 25, 1993

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, March 31, 1994, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 139, 148, 150, 151, 152, 153, 154 and 191, 1994, to be held on Monday, April 11, 1994, at 7:00 p.m., in the City-County Building.

Respectfully,  
s/Peggy Stawick  
Assistant Clerk, City-County Council

March 23, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Acting Clerk of the City-County Council, Robert G. Elrod, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 4, 1994 - appropriating \$652,500 for the Department of Administration, Administrative Services Division, to finance the Neighborhood Revitalization Initiative program funded by private foundation grants

FISCAL ORDINANCE NO. 5, 1994 - appropriating \$66,000 for Metropolitan Emergency Communications Agency to fund shortfall in its 1994 budget caused by conversion from City to County payroll and to cover increase in data circuit charges

FISCAL ORDINANCE NO. 6, 1994 - appropriating \$30,000 for Forensic Services Agency to cover supplies and equipment to train an Arab police examiner in DNA Fund last year

FISCAL ORDINANCE NO. 7, 1994 - transferring and appropriating \$2,073,000 for the Department of Public Safety, Police Division, to consolidate 1994 cumulative capital funds in Character 04 to purchase police patrol vehicles

GENERAL ORDINANCE NO. 37, 1994 - amending Chapter 8½ of the Code concerning cable television

GENERAL ORDINANCE NO. 38, 1994 - amending the Code by updating the county corrections fund

GENERAL ORDINANCE NO. 39, 1994 - amending the Code authorizing intersection controls for Windcombe subdivision (District 2)

GENERAL ORDINANCE NO. 40, 1994 - amending the Code by authorizing intersection controls for Quail Creek subdivision (District 24)

GENERAL ORDINANCE NO. 41, 1994 - amending the Code by authorizing intersection controls for Lakeside Woods subdivision (District 1)

*April 11, 1994*

GENERAL ORDINANCE NO. 42, 1994 - amending the Code by authorizing intersection controls for Admirals Sound subdivision (District 5)

GENERAL ORDINANCE NO. 43, 1994 - amending the Code by authorizing intersection controls for the Brettonwood subdivision (Districts 1, 2)

GENERAL ORDINANCE NO. 44, 1994 - amending the Code by authorizing intersection controls for Ashworth subdivision (District 1)

GENERAL ORDINANCE NO. 45, 1994 - amending the Code by authorizing a multi-way stop at High School Road and 52nd Street (District 1)

GENERAL ORDINANCE NO. 46, 1994 - amending the Code by authorizing a traffic signal at Moller Way and Pike Plaza Road (District 9)

GENERAL ORDINANCE NO. 47, 1994 - amending the Code by authorizing a multi-way stop at Cumberland Road, Muessing Street, and 10th Street (Districts 12, 13)

GENERAL ORDINANCE NO. 48, 1994 - amending the Code by authorizing a loading zone on Indiana Avenue for Forest McGinnis Interiors, Inc. (District 16)

SPECIAL ORDINANCE NO. 3, 1994 - approving the issuance of City of Indianapolis, Indiana Tax-Exempt Adjustable Mode Economic Development Revenue Bonds (Herff Jones, Inc. Project) Series 1994 in an aggregate principal amount not to exceed \$4,100,000 (4500 West 62nd Street, District #9)

SPECIAL RESOLUTION NO. 15, 1994 - recognizing "Buffalo Soldier" John Morton-Finney

SPECIAL RESOLUTION NO. 16, 1994 - congratulating the Arsenal Technical High School Constitution team

SPECIAL RESOLUTION NO. 17, 1994 - recognizing Dorothea Green

SPECIAL RESOLUTION NO. 18, 1994 - recognizing Isaac Randolph, Jr.

SPECIAL RESOLUTION NO. 19, 1994 - recognizing the 75th anniversary of the American Legion

SPECIAL RESOLUTION NO. 20, 1994 - an inducement resolution for EPI Printers, Inc. in an amount not to exceed \$6,500,000 for the acquisition, construction and equipping of an approximately 33,500 square foot manufacturing facility to be used in EPI's printing business (7340 East 68th Street, District #4)

Respectfully,  
s/Stephen Goldsmith  
Mayor, City of Indianapolis

### **APPROVAL OF JOURNALS**

President SerVaas called for additions or corrections to the Journal of March 21, 1994. There being no additions or corrections, the minutes were approved as distributed.

### **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 224, 1994. This proposal, sponsored by Councillors Ruhmkorff and O'Dell, recognizes mathematics-talented student Melanie Wood. Councillor Ruhmkorff read the resolution and presented a copy of the document to Ms. Wood, who expressed appreciation for the recognition. Also present were family members Sherry and Jody Eggers; and from Stonybrook Junior High School Jack Washburn, principal, and Nancy Stauffer and Barbara Moser, teachers. Councillor Ruhmkorff moved, seconded by Councillor O'Dell, for adoption. Proposal No. 224, 1994 was adopted by unanimous voice vote.

Proposal No. 224, 1994 was retitled SPECIAL RESOLUTION NO. 21, 1994 and reads as follows:



CITY-COUNTY SPECIAL RESOLUTION NO. 21, 1994

A SPECIAL RESOLUTION recognizing mathematics-talented student Melanie Wood.

WHEREAS, each year the National Society of Professional Engineers and the National Council of Teachers of Mathematics sponsor their MathCounts contest at Rose-Hulman Institute of Technology to promote mathematics; and

WHEREAS, Indiana's 1994 winner was Melanie Wood of Stonybrook Junior High School in Warren Township Schools, who in May will represent the state of Indiana for a \$10,000 scholarship prize at the national competition in Washington, D.C.; and

WHEREAS, in late January, 1994, Melanie Wood took the national SAT test as part of the Midwest Talent Search contest, and missed only one question for a 770 score in the math section; and

WHEREAS, beyond a special gift for math, the well-rounded young lady is also involved with music, the computer club and the academic club at Stonybrook Junior High; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes talented twelve-year-old Melanie Wood of Stonybrook Junior High in Warren Township.

SECTION 2. In this day and age of so much criticism of our young people and of our schools, it is refreshing to learn about talented and purposeful youth like Melanie Wood, and many others like her who can be expected to become solid and productive citizens in the years and decades to come.

SECTION 3. The Council and Warren Township are proud of Melanie and wish her well in the years ahead.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 225, 1994. This proposal, sponsored by Councillor Golc, recognizes Cathedral Coach Joseph F. Dezelan. Councillor Golc read the resolution and presented a copy of the document to Coach Dezelan, who expressed appreciation for the recognition. Also present were Mr. Dezelan's family. Councillor Golc moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 225, 1994 was adopted by unanimous voice vote.

Proposal No. 225, 1994 was retitled SPECIAL RESOLUTION NO. 22, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 22, 1994

A SPECIAL RESOLUTION recognizing Cathedral Coach Joseph F. Dezelan.

WHEREAS, Indianapolis Cathedral High School, Fighting Irish, football and Coach Joseph F. Dezelan are all synonymous terms; and

WHEREAS, Coach Dezelan was Cathedral's head football coach from 1944 to 1970, athletic director from 1971 to 1980 and interim athletic director in 1986--which just happened to be a year in which Cathedral won the State Football Championship; and

WHEREAS, Coach Dezelan's career record is 182 wins, 61 losses and 8 tie games, and in all of those years of coaching he only had three losing seasons, two of which were in the 1940's; and

April 11, 1994

WHEREAS, Coach Dezelan will be honored for his 50 years of dedicated service to Cathedral High School at a Testimonial Dinner on April 16, 1994; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and congratulates Cathedral Coach Joseph F. Dezelan for his 50 years of dedicated work for the school, and for the thousands of young athletes who were trained and motivated by this outstanding coach.

SECTION 2. Coach Dezelan's Faith, Family and Football winning attitudes will live on well into the 21st Century in the hearts and minds of the young people whom he inspired during his first half century at Cathedral High School.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 226, 1994. This proposal, sponsored by Councillor Coughenour, recognizes the award-winning Belmont AWT engineering project. Councillor Coughenour read the resolution and presented a copy of the document to Larry Maddux, Department of Public Works (DPW), Contract Compliance Officer, who expressed appreciation for the recognition. Also present from DPW were Pat Taylor, Kurt Solomon and Carel Adriaans. Councillor Coughenour moved, seconded by Councillor Beadling, for adoption. Proposal No. 226, 1994 was adopted by unanimous voice vote.

Proposal No. 226, 1994 was retitled SPECIAL RESOLUTION NO. 23, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 23, 1994

A SPECIAL RESOLUTION recognizing the award-winning Belmont AWT engineering project.

WHEREAS, on February 19, 1994, Consulting Engineers of Indiana, Inc., a professional association of engineers, awarded the Indianapolis Department of Public Works the association's annual Merit Award; and

WHEREAS, because the cryogenic air compressors at the Belmont Advanced Wastewater Treatment Plant were corroding almost as fast as they could be repaired, the Department of Public Works employees went to work to design a retrofit for the cooling system; and

WHEREAS, with the city DPW employees, WW Engineering & Science, Inc. as design engineers and Bowen Engineering Corp. as the general contractor, the coolers are redesigned, their performance and efficiency are improved and the city's citizens save \$75,000 a year in reduced maintenance; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the following for their initiative and skill in redesigning the Belmont AWT cryogenic air compressors cooling system:

DPW, Facility Engineering: Pete Chavol and Carel Adriaans  
DPW, Construction Management: Patrick Taylor and Jeff Patterson  
AWT, Administrative Staff  
AWT, Operations and Maintenance Staff  
Design Engineers: WW Engineering & Science, Inc.  
General Contractor: Bowen Engineering Corp.

SECTION 2. The Council applauds this fine example of teamwork and achievement.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.



SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 227, 1994. This proposal, sponsored by Councillor Curry, recognizes the Indy Miata Chapter of the Miata Club of America. Councillor Curry read the resolution and presented a copy of the document to Rich Hickle, founder, Indy Miata, who expressed appreciation for the recognition. Also present were representatives from the Indy Miata Chapter: Chip Helmick, Mike Fetsch, Barbara and Earl Salisbury. Councillor Curry moved, seconded by Councillor Dowden, for adoption. Proposal No. 227, 1994 was adopted by unanimous voice vote.

Proposal No. 227, 1994 was retitled SPECIAL RESOLUTION NO. 24, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 24, 1994

A SPECIAL RESOLUTION recognizing the Indy Miata Chapter of the Miata Club of America.

WHEREAS, 1994 is the fifth year of production for Mazda's Miata two seat roadsters and the fifth year of the Miata Club of America; and

WHEREAS, this is also the second time that the Indy Miata local chapter will host the national convention of Miata owners and enthusiasts; and

WHEREAS, over 250 Mazda Miatas will converge upon Indianapolis June 9-12 for activities including driving competition, a tour of the "Indianapolis 500" race track, and a caravan from the Adam's Mark Hotel to the "500" track which will attempt to establish a world record in the Guinness Book of Records for being the longest car caravan of one automobile type; and

WHEREAS, a maximum limit of 250 are expected to attend the convention from all across the United States and Canada; and sightseeing, fellowship, bragging, picture taking and making new friends will all be very much in evidence during the event; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the Miata Club of America and the members of its local chapter, Indy Miata.

SECTION 2. The Council wishes the event well on June 12th as the members attempt their drive for world recognition with their Miata caravan.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Rhodes asked for consent to hear Proposal No. 191, 1994 at this time. Consent was given.

**SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 191, 1994. The proposal is a rezoning ordinance for Washington Township, Councilmanic District 7, 6219 Guilford Avenue (approximate address). Proposal No. 191, 1994 was certified by the Metropolitan Development Commission on March 18, 1994. On March 21, 1994 the Council voted to schedule a public hearing for April 11, 1994. Councillor Rhodes made the following announcement and motion:

*April 11, 1994*

Mr. President:

I am pleased to report that the parties involved in the rezoning at 6219 Guilford Avenue have reached a compromise and it will not be necessary to have a hearing on this matter; therefore, I move that Proposal No. 191, 1994 (Rezoning Petition No. 94-Z-30) be adopted incorporating therein the additional commitments dated April 11, 1994.

This motion was seconded by Councillor Giffin, and passed by unanimous voice vote.

Councillor Rhodes thanked the attorneys involved in this petition for rezoning.

Proposal No. 191, 1994 was retitled REZONING ORDINANCE NO. 38, 1994 and is identified as follows:

REZONING NO. 38, 1994. 94-Z-30 WASHINGTON TOWNSHIP.  
COUNCILMANIC DISTRICT # 7.  
6219 GUILFORD AVENUE (approximate address), INDIANAPOLIS.  
INDIANAPOLIS-MARION COUNTY PUBLIC LIBRARY, by Daniel B. Altman, requests the rezoning of 0.29 acre, being in the D-5 District, to the C-S classification to provide for permitted C-3C District uses (except for eating place or any type of restaurant).

### **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS**

The President stated that the following Mayor appointment and board appointment proposals would be voted on together unless there is one that needs to be withdrawn for discussion. Councillor Dowden asked that Proposal No. 179, 1994 be withdrawn and voted on separately.

PROPOSAL NOS. 141, 146, 147, 155, 158, 159, 163 and 178, 1994. The President stated that these board appointments were heard by various committees. The Committees have recommended to the full Council that the proposals be adopted. PROPOSAL NO. 141, 1994. The proposal approves the Mayor's appointment of Daniel T. Kozlowski as Director of the Department of Metropolitan Development. PROPOSAL NO. 146, 1994. The proposal approves the Mayor's appointment of Michael E. Beaver as Director of the Department of Public Safety. PROPOSAL NO. 147, 1994. The proposal reappoints David W. Hamilton to the Marion County Public Defender Board. PROPOSAL NO. 155, 1994. The proposal approves the Mayor's appointment of Michael B. Stayton as Director of the Department of Public Works. PROPOSAL NO. 158, 1994. The proposal approves the Mayor's appointment of Joseph E. Loftus as Deputy Mayor and Director of the Department of Administration. PROPOSAL NO. 159, 1994. The proposal approves the Mayor's appointment of Nancy Silvers as Deputy Mayor. PROPOSAL NO. 163, 1994. The proposal approves the Mayor's appointment of Greg L. Henneke as Director of the Department of Capital Asset Management. PROPOSAL NO. 178, 1994. The proposal appoints Charlotte MacBeth to the Juvenile Detention Center Advisory Board. PROPOSAL NOS. 141, 146, 147, 155, 158, 159, 163 and 178, 1994 were adopted by unanimous voice vote.

Proposal No. 141, 1994 was retitled COUNCIL RESOLUTION NO. 53, 1994 and reads as follows:

#### **CITY-COUNTY COUNCIL RESOLUTION NO. 53, 1994**

A COUNCIL RESOLUTION approving the Mayor's appointment of Daniel T. Kozlowski as Director of the Department of Metropolitan Development for a term ending December 31, 1994.



WHEREAS, pursuant to IC 36-3-5-2 and Sec. 231-11 of the "Revised Code of the Consolidated City and County, Indiana," a mayoral appointment of the Director of the Department of Metropolitan Development is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Daniel T. Kozlowski to serve as Director of the Department of Metropolitan Development at his pleasure for a term ending December 31, 1994; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Daniel T. Kozlowski is approved and confirmed by the City-County Council to serve as Director of the Department of Metropolitan Development at the pleasure of the Mayor for a term ending December 31, 1994.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 146, 1994 was retitled COUNCIL RESOLUTION NO. 54, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 54, 1994

A COUNCIL RESOLUTION approving the Mayor's appointment of Michael E. Beaver as Director of the Department of Public Safety for a term ending December 31, 1994.

WHEREAS, pursuant to IC 36-3-5-2 and Sec. 3-301 of the "Code of Indianapolis and Marion County, Indiana," a mayoral appointment of the Director of the Department of Public Safety is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Michael E. Beaver to serve as Director of the Department of Public Safety at his pleasure for a term ending December 31, 1994; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Michael E. Beaver is approved and confirmed by the City-County Council to serve as Director of the Department of Public Safety at the pleasure of the Mayor for a term ending December 31, 1994.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 147, 1994 was retitled COUNCIL RESOLUTION NO. 55, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 55, 1994

A COUNCIL RESOLUTION reappointing David W. Hamilton to the Marion County Public Defender Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Public Defender Board, the Council appoints:

David W. Hamilton

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1996. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

April 11, 1994

Proposal No. 155, 1994 was retitled COUNCIL RESOLUTION NO. 56, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 56, 1994

A COUNCIL RESOLUTION approving the Mayor's appointment of Michael B. Stayton as Director of the Department of Public Works for a term ending December 31, 1994.

WHEREAS, pursuant to IC 36-3-5-2 and Sec. 261-11 of the "Revised Code of the Consolidated City and County, Indiana," a mayoral appointment of the Director of the Department of Public Works is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Michael B. Stayton to serve as Director of the Department of Public Works at his pleasure for a term ending December 31, 1994; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Michael B. Stayton is approved and confirmed by the City-County Council to serve as Director of the Department of Public Works at the pleasure of the Mayor for a term ending December 31, 1994.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 158, 1994 was retitled COUNCIL RESOLUTION NO. 57, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 57, 1994

A COUNCIL RESOLUTION approving the Mayor's appointment of Joseph E. Loftus as Deputy Mayor and Director of the Department of Administration for a term ending December 31, 1994.

WHEREAS, pursuant to IC 36-3-5-2 and Secs. 201-4 and 222-11 of the "Revised Code of the Consolidated City and County, Indiana," a mayoral appointment of a Deputy Mayor and of the Director of the Department of Administration is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Joseph E. Loftus to serve as a Deputy Mayor and Director of the Department of Administration at his pleasure for a term ending December 31, 1994; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Joseph E. Loftus is approved and confirmed by the City-County Council as a Deputy Mayor, and ex officio Director of the Department of Administration at the pleasure of the Mayor for a term ending December 31, 1994.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 159, 1994 was retitled COUNCIL RESOLUTION NO. 58, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 58, 1994

A COUNCIL RESOLUTION approving the Mayor's appointment of Nancy Silvers as Deputy Mayor for a term ending December 31, 1994.

WHEREAS, pursuant to IC 36-3-5-2 and Section 201-4 of the "Revised Code of the Consolidated City and County, Indiana," mayoral appointments of Deputy Mayors are subject to the approval of the City-County Council; and



WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Nancy Silvers to serve as a Deputy Mayor at his pleasure for a term ending December 31, 1994; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Nancy Silvers is approved and confirmed by the City-County Council to serve as a Deputy Mayor at the pleasure of the Mayor for a term ending December 31, 1994.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 163, 1994 was retitled COUNCIL RESOLUTION NO. 59, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 59, 1994

A COUNCIL RESOLUTION approving the Mayor's appointment of Greg L. Henneke as Director of the Department of Capital Asset Management for a term ending December 31, 1994.

WHEREAS, pursuant to IC 36-3-5-2 and Sec. 271-11 of the "Revised Code of the Consolidated City and County, Indiana," a mayoral appointment of the Director of the Department of Capital Asset Management is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Greg L. Henneke to serve as Director of the Department of Capital Asset Management at his pleasure for a term ending December 31, 1994; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Greg L. Henneke is approved and confirmed by the City-County Council to serve as Director of the Department of Capital Asset Management at the pleasure of the Mayor for a term ending December 31, 1994.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 178, 1994 was retitled COUNCIL RESOLUTION NO. 60, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 60, 1994

A COUNCIL RESOLUTION appointing Charlotte MacBeth to the Juvenile Detention Center Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Juvenile Detention Center Advisory Board, the Council appoints:

Charlotte MacBeth

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1996. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

PROPOSAL NO. 179, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 179, 1994 on March 23, 1994. The proposal appoints Ann Curry to the Animal Control Board. Councillor Dowden said that Mrs. Curry, wife of Councillor Carlton Curry, could not attend the March 23rd meeting, but that the

April 11, 1994

Committee approved her appointment without taking any testimony from her. The Animal Control Board is an advisory body that makes no fiscal decisions. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Gilmer, for adoption.

Councillors Jimison and Giffin voiced their support for Ann Curry's appointment.

The President asked Mrs. Curry for a statement. Mrs. Curry said that she feels that the citizens of Marion County should not be subjected to someone else's pet and will work for responsible pet ownership.

Proposal No. 179, 1994 was adopted by a unanimous voice vote.

Councillor Williams stated that she hopes that all committees will follow proper procedure and take testimony from appointees, especially first-time appointees.

Proposal No. 179, 1994 was retitled COUNCIL RESOLUTION NO. 52, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 52, 1994

A COUNCIL RESOLUTION appointing Ann Curry to the Animal Control Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Animal Control Board, the Council appoints:

Ann Curry

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 193, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code concerning payment of accrued compensatory time"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 194, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE repealing the Central Business District, Special Development District Ordinance and amending the Central Business District Zoning Ordinance by adding the language of the repealed ordinance"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 195, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE combining the Airport Special Use Zoning Ordinance and the Airspace District Zoning Ordinance to create the Airport Zoning Ordinance"; and the President referred it to the Metropolitan Development Committee.



PROPOSAL NO. 196, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE combining the Park Districts Zoning Ordinance, the Hospital Districts Zoning Ordinance, and the University Quarter Zoning Ordinance to create the Special Districts Zoning Ordinance"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 197, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Special Use Districts Zoning Ordinance by repealing twenty unused or redundant Special Use Districts and providing development standard guidelines for administrative approval for the remaining districts"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 198, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE repealing the Regional Center-Market Square Development District (RC-M) Ordinance and rezoning land within the former RC-M District to the Central Business Districts-1 and -2 (CBD-1 and CBD-2) classifications"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 199, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving the disbursement of \$60,000 of the Community Development Block Grant funds"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 200, 1994. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$3,850,509 for the Marion County Office of Family and Children to pay the expenses of wards in institutions"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 201, 1994. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$190,000 for the Department of Parks and Recreation, Natural Resources Division, to cover the charges to repair roofs on thirteen buildings at several park locations"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 202, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$400 for the Superior Court, Title IV-D Court, to purchase an IRMA Board to install in a personal computer in the office"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 203, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE approving reductions in proposed expenditures since the adoption of the 1994 City-County Annual Budget for the Department of Public Works, Wastewater Management Division, in the amount of \$1,092,579"; and the President referred it to the Public Works and Capital Asset Management Committees.



PROPOSAL NO. 204, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$109,541 for the Department of Public Works (DPW), Wastewater Management Division, to cover certain administrative staff positions, supplies and contractual services from DPW, Maintenance Operations Division"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 205, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$192,932 for the Department of Public Works, Maintenance Operations Division, to cover sewer maintenance supplies budgeted in 1993 but not utilized due to year-end closing"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 206, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$53,792 for the Department of Public Works, Maintenance Operations Division, to reflect funds not transferred to the Opportunity Fund during the 1994 budget hearing process"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 207, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$1,000 for the Department of Public Works, Maintenance Operations Division, to restore a portion of Maintenance Operations General Fund not transferred to Opportunity Fund during 1994 budget hearing process"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 208, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$79,950 for the Department of Public Works, Maintenance Operations Division, to reflect funds not transferred to the Opportunity Fund during 1994 budget hearing process"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 209, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$40,000 for the Department of Public Works, Environmental Resources Management Division, to pay its portion of administrative overhead"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 210, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$92,075 for the Department of Public Works, Environmental Resources Management Division, to provide for additional contractual support for environmental sampling and effluent monitoring"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 211, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$4,277,471 for the Department of Public Works, Wastewater Management Division, and reducing appropriations by \$14,443,571 for that division to reflect in its budget the White



River Environmental Partnership contract management of the Advanced Wastewater Treatment plants"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 212, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE approving reductions in proposed expenditures since the adoption of the 1994 City-County Annual Budget for the Department of Public Works, Solid Waste Management Division, in the amount of \$1,555,000"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 213, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE approving reductions in proposed expenditures since the adoption of the 1994 City-County Annual Budget for the Department of Public Works, Solid Waste Management Division, in the amount of \$1,136,055"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 214, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code concerning environmental public nuisances"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 215, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$1,587,374 for the Department of Public Safety, Police Division, to complete its capital projects"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 216, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$200,000 for the Department of Capital Asset Management, Asset Management Division, to provide for greater contractual sewer maintenance"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 217, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$7,000,000 for the Department of Capital Asset Management, Asset Management Division, to provide for capital improvements to Advanced Wastewater Treatment plants and for sewer and drainage improvements to support the Capital Improvement Program"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 218, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$1,092,579 for the Department of Capital Asset Management, Asset Management Division, to reflect in its budget the Sewer Wastewater Management Facilities Engineering operating budget and \$250,000 for emergency sewer repair"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 219, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE approving reductions in proposed

April 11, 1994

expenditures from the Flood Control General Fund for the Department of Capital Asset Management, Asset Management Division, in the amount of \$1,000"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 220, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE approving reductions in proposed expenditures from the Transportation General Fund for the Department of Capital Asset Management, Asset Management Division, in the amount of \$53,792"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 221, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE approving reductions in proposed expenditures from the Sanitation General Fund for the Department of Capital Asset Management, Asset Management Division, in the amount of \$79,950"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 222, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$1,555,000 for the Department of Capital Asset Management, Asset Management Division, to establish a lagoon cleaning project"; and the President referred it to the Public Works and Capital Asset Management Committees.

[Clerk's Note: Proposal No. 223, 1994 was withdrawn.]

PROPOSAL NO. 228, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Glenda Smith to the Community Centers of Indianapolis Board"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 229, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Robert A. Stewart to the Metropolitan Board of Zoning Appeals Division III"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 230, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Lacy M. Johnson to the Juvenile Detention Center Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 231, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on April 7, 1994." The Council did not schedule Proposal No. 231, 1994 for hearing pursuant to IC 36-7-4-608. Proposal No. 231, 1994 was retitled REZONING ORDINANCE NO. 39, 1994 and is identified as follows:

REZONING ORDINANCE NO. 39, 1994. 94-Z-15 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 22.



302 EAST FALL CREEK PARKWAY NORTH DRIVE, 2801-2833 WASHINGTON BOULEVARD, 2802-2810 NORTH NEW JERSEY STREET AND 318-408 EAST 28TH STREET (approximate address), INDIANAPOLIS.

STANDARD LIFE INSURANCE COMPANY OF INDIANA, by James W. Beatty, requests the rezoning of 2.58 acres, being in the D-7 and D-5 Districts, to the C-1 classification to provide for office use and associated surface parking facilities, including Center Township governmental units.

PROPOSAL NOS. 232-235, 1994. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on April 7, 1994." The Council did not schedule Proposal Nos. 232-235, 1994 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 232-235, 1994 were retitled REZONING ORDINANCE NOS. 40-43, 1994 and are identified as follows:

REZONING ORDINANCE NO. 40, 1994. 94-Z-32 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 17.

1702 WEST MILLER STREET (approximate address), INDIANAPOLIS.

INDIANAPOLIS BOARD OF SCHOOL COMMISSIONERS requests the rezoning of 1.1 acres, being in the D-5 District, to the SU-2 classification to provide for the construction of a new school.

REZONING ORDINANCE NO. 41, 1994. 94-Z-33 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 16.

1002 WEST 25TH STREET (approximate address), INDIANAPOLIS.

INDIANAPOLIS BOARD OF SCHOOL COMMISSIONERS requests the rezoning of 1.4 acres, being in the C-1 and D-5 Districts, to the SU-2 classification to provide for the construction of a new school.

REZONING ORDINANCE NO. 42, 1994. 94-Z-36 FRANKLIN TOWNSHIP.  
COUNCILMANIC DISTRICT # 23.

5127, 5129 and 5133 ELENOR STREET (approximate address), INDIANAPOLIS.

DONALD E. and JANET S. SHAFFER request the rezoning of 1.29 acres, being in the D-4 District, to the C-4 classification to provide for retail use.

REZONING ORDINANCE NO. 43, 1994. 94-Z-38 (Amended) WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 19.

7101 WEST MORRIS STREET (approximate address), INDIANAPOLIS.

PRECISION PARTNERS, LTD. requests the rezoning of 2.07 acres, being in the C-3 and I-3-S Districts, to the I-3-S classification to provide for an assembly, sales and service facility for pneumatic and electric control systems, energy management systems and heating and air conditioning services.

### **SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 192, 1994. Councillor Schneider reported that the Municipal Corporations Committee heard Proposal No. 192, 1994 on April 7, 1994. The proposal, sponsored by Councillor Shambaugh, affirms Council support for the Capital Improvements Board (CIB) to proceed with a new downtown baseball stadium. The CIB and the Indianapolis Indians have entered into an agreement to relocate the team at a downtown location. Councillor Schneider stated the Committee was concerned that the construction cost of the new stadium would stay within the projected \$18 million. The CIB assured the Committee that the new baseball stadium could be built for that amount. Councillor Schneider said that it is important to note that the CIB can proceed with this project with or without the Council's approval. The White River Park Commission has issued its support to construct the new baseball stadium in White River State Park. He noted that there will be no new taxes initiated to pay for this stadium. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Schneider moved, seconded by Councillor Shambaugh, for adoption.

Councillor Curry moved that City-County Council Proposal No. 192, 1994 be amended by renumbering Sections 4 and 5 as Sections 5 and 6 respectively and inserting a new Section 4 to read as follows:

SECTION 4. The Capital Improvement Board is requested to obtain security to protect the investment of public monies. This security should include:

- (a) a lien on substantially all of the assets of the Indianapolis Indians, Inc., including the franchise to the extent allowed by professional baseball and state law.
- (b) a commitment not to move the team from Indianapolis during the life of the bond.
- (c) a definition of the parameters that would be necessary should the franchise have to be sold during the life of the bond.
- (d) a promise by the association to not unreasonably withhold approval of a sale should the lien upon the franchise be exercised.

Councillor Boyd seconded the motion.

Councillor Curry said that this amendment will protect and recover the public moneys used for this project to the fullest extent possible.

Councillor Golc stated that at the Municipal Corporations Committee meeting he asked for two commitments from CIB: (1) a feasibility study be done to look at the options for the future use of Bush Stadium and the impact those options will have on the neighborhood, and (2) a quarterly report be issued to the Council on the construction and finances of the new stadium. He said that he has since received those two commitments.

Councillor Giffin voiced his support for Councillor Curry's amendment because it will make the proposal more fiscally responsible.

Councillor Curry's motion passed by unanimous voice vote.

Councillor Borst stated that he understood that CIB would fund \$9 million and the Indians would fund \$9 million. In CIB's document "Baseball Ballpark Sources of Funds" that does not seem to be correct. Pat Early, President, CIB, stated that CIB will issue \$13 million in revenue bonds and the balance of the construction money will consist of a \$5 million loan from the agency's reserve fund. In 1995 the Indians will contribute \$4 million, which will be used to repay a portion of the CIB's loan. The balance of the Indians' contribution will come in the form of \$500,000 annual lease payments, which will repay \$5 million in principal over the 20-year life of the bonds. The CIB's portion of debt repayment will come from non-tax money such as advertising revenues in the sports arenas and the elimination of \$175,000 in annual lease payments by relocating the Hoosier Dome VIP parking lot.

Councillor Williams voiced her concern about ticket prices. Mr. Early stated that ticket prices have not increased in cities which have recently built new baseball stadiums. When the Indians prepared their pro forma they used an average ticket price of \$4.

Councillor Franklin said that most of the people he has talked to cannot discern the difference between public funds and tax dollars and they would rather see the people who use the facility pay for the facility.



Councillor Moriarty asked Mr. Early if there are any plans for Bush Stadium. Mr. Early replied that the Parks Department owns the stadium, it is not a CIB property, but the City and CIB will work together on this matter.

Councillor Gray voiced his support for the new stadium but expressed his desire for a commitment from the Indians for management jobs for minorities.

Councillors Short, Beadling and Boyd expressed their support for the new stadium.

Councillor Black said that during the committee hearing on this proposal he suggested that the Indianapolis Indians add minorities to its board of directors.

Councillor Shambaugh urged all the Councillors to support this proposal.

Proposal No. 192, 1994, as amended, was adopted on the following roll call vote; viz:

*25 YEAS: Beadling, Black, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, West, Williams*

*2 NAYS: Brents, Moriarty Adams*

*2 NOT PRESENT: McClamroch, Smith*

The President said that he would like either the Indiana University-Purdue University at Indianapolis, which promotes amateur sports among its students, to develop some use for Bush Stadium or perhaps the private sector might develop plans that would benefit the City and the neighborhood.

Proposal No. 192, 1994, as amended, was retitled SPECIAL RESOLUTION NO. 25, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 25, 1994

A SPECIAL RESOLUTION affirming Council support for the Capital Improvements Board to proceed with a new downtown baseball stadium.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council accepts notice that the Capital Improvements Board wishes to proceed with issuing bonds to finance a new baseball stadium in close proximity to the Indiana Convention Center and Hoosier Dome.

SECTION 2. The Council recommends that the Capital Improvements Board proceed forward with a new stadium at a downtown locale.

SECTION 3. The Council recommends the concept of the Capital Improvements Board borrowing approximately Five Million Dollars (\$5,000,000) from its reserves saved from construction of the latest expansion of the Indiana Convention Center and Hoosier Dome, and issuing approximately Thirteen Million Dollars (\$13,000,000) in bonds secured by the Indianapolis Indians, Inc. for the balance of the project.

SECTION 4. The Capital Improvement Board is requested to obtain security to protect the investment of public monies. This security should include:

- (a) a lien on substantially all of the assets of the Indianapolis Indians, Inc., including the franchise to the extent allowed by professional baseball and state law.

April 11, 1994

- (b) a commitment not to move the team from Indianapolis during the life of the bond.
- (c) a definition of the parameters that would be necessary should the franchise have to be sold during the life of the bond.
- (d) a promise by the association to not unreasonably withhold approval of a sale should the lien upon the franchise be exercised.

SECTION 5. All financial obligations must be repaid by the Capital Improvements Board from non-tax revenues of which a significant portion must be paid by the Indianapolis Indians, Inc.

SECTION 6. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 143, 1994. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 143, 1994 on March 22, 1994. The proposal, sponsored by Councillor Coughenour, approves transfer of certain territory located at 4000 9th Avenue from the Consolidated City of Indianapolis to the City of Beech Grove. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Coughenour, for adoption. Proposal No. 143, 1994 was adopted on the following roll call vote; viz:

23 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, West*

0 NAYS:

4 NOT VOTING: *Black, Jones, Schneider, Williams*

2 NOT PRESENT: *McClamroch, Smith*

Proposal No. 143, 1994 was retitled GENERAL ORDINANCE NO. 49, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 49, 1994

A GENERAL ORDINANCE approving transfer of certain territory from the Consolidated City of Indianapolis to the City of Beech Grove.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The owners of the real estate described in Section 2 of the ordinance having petitioned the City of Indianapolis to disannex such territory and having petitioned the City of Beech Grove to annex such territory, the transfer of such territory from the Consolidated City of Indianapolis to the City of Beech Grove is hereby approved, effective upon the City of Beech Grove approving such transfer.

SECTION 2. Sec. 111-1 of the "Revised Code of the Consolidated City" be and is hereby amended to reflect the change in boundaries of the Consolidated City by adding a new paragraph (6) reading as follows:

"(6) Disannexation to City of Beech Grove. The following territory is transferred to the City of Beech Grove:

Part of the Northwest Quarter of Section 33, Township 15 North, Range 4 East in Marion County, Indian, more particularly described as follows:

Beginning at a point on the South line of the said Quarter Section, South 88 degrees 13 minutes 57 seconds West 1100.45 feet from the Southeast corner thereof, which Southeast corner bears South 00 degrees 08 minutes 06 seconds East from the Northeast corner of the said Quarter Section; thence continuing South 88 degrees 13 minutes 57 seconds West along the South line of the said Quarter Section 233.51 feet to the Southeast corner of the Southwest Quarter of the said Northwest Quarter Section, said corner lies North 88 degrees 13 minutes 57 seconds East 1333.96 feet from the Southwest



corner of the said Northwest Quarter Section; thence North 00 degrees 10 minutes 09 seconds West along the East line of the said Southwest Quarter of the said Northwest Quarter Section 790.65 feet to a point on the southerly right-of-way line of I-465 (as located April 1978) per right-of-way grant to the State of Indiana recorded August 11, 1969, in Volume 1876, page 67 and re-recorded April 26, 1983, in Volume 1990, page 486 in the Office of the Recorder of Marion County, Indiana; thence South 87 degrees 44 minutes 10 seconds East along said right-of-way line 234.10 feet; thence South 00 degrees 08 minutes 06 seconds East parallel to the East line of said Northwest Quarter Section 774.20 feet to the place of beginning, containing 4.196 acres, more or less. Subject to all legal highways, rights-of-way, easements, and restrictions of record.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14 and approval by the City of Beech Grove of the annexation of the territory.

SECTION 4. The clerk shall file a copy of the ordinance, upon adoption, with the designated official of the State Board of Tax Commissioners and with the Clerk of the Circuit Court of Marion County.

PROPOSAL NO. 160, 1994. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 160, 1994 on April 5, 1994. The proposal, sponsored by Councillors Short, Dowden and Beadling, amends the Code concerning smoking restrictions in local governmental buildings. This amendment would allow firefighters to smoke in the bay areas of firestations. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Curry moved, seconded by Councillor Short, for adoption.

Councillor Ruhmkorff moved that City-County Council Proposal No. 160, 1994 be amended by adding a new clause (6) in subsection (a) of Sec. 416-601 to read as follows:

- (6) The garage, loading dock and north lobby of the City-County Building, until such time as the Board of Directors of the Indianapolis Marion County Building Authority has established and designated other areas or rooms in the City-County Building as "smoking permitted areas."

This motion was seconded by Councillor Rhodes.

Councillor Coughenour stated that she can see the rationale in granting smoking areas in the fire stations because firefighters have to spend twenty-four hours a day there, but she opposes granting "smoking permitted areas" in the City-County Building.

Councillor Short stated that he is a sponsor of Proposal No. 160, 1994 and he does not view Councillor Ruhmkorff's motion as a friendly amendment. He believes that Councillor Ruhmkorff's motion should be a separate proposal.

Councillor West voiced his opposition to Councillor Ruhmkorff's motion.

Councillor Rhodes stated that he believes the City-County Building should have a ventilated area for smokers.

Councillor Ruhmkorff's motion failed by the following roll call vote; viz:

9 YEAS: Black, Brents, Dowden, Franklin, Moriarty Adams, O'Dell, Rhodes, Ruhmkorff, Schneider

18 NAYS: Beadling, Borst, Boyd, Coughenour, Curry, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, Mullin, SerVaas, Shambaugh, Short, West, Williams

2 NOT PRESENT: McClamroch, Smith

April 11, 1994

Proposal No. 160, 1994, as amended, was adopted on the following roll call vote; viz:

21 YEAS: *Beadling, Borst, Boyd, Brents, Curry, Dowden, Franklin, Giffin, Gilmer, Gray, Hinkle, Jones, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short*

6 NAYS: *Black, Coughenour, Golc, Jimison, West, Williams*

2 NOT PRESENT: *McClamroch, Smith*

Proposal No. 160, 1994, as amended, was retitled GENERAL ORDINANCE NO. 50, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 50, 1994

A GENERAL ORDINANCE amending the Code concerning smoking restrictions in local governmental buildings.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Revised Code of the Consolidated City and County be amended (by codifying and revising Article VIII of Chapter 20 of the Code of Indianapolis and Marion County, Indiana, by inserting the underlined language) to read as follows:

CHAPTER 416. PUBLIC BUILDINGS  
ARTICLE VI. SMOKING

Sec. ~~20-201~~ 416-601. Policy to prohibit tobacco smoking.

To reduce the annoyance and health risks to nonsmokers from exposure to tobacco smoke, smoking (as herein defined) is prohibited in certain local government buildings as provided in this article.

Sec. ~~20-202~~ 416-602. Definitions.

As used in this article, the following terms shall mean:

(a) *Local government building* shall mean any enclosed structure, or room therein, which is owned, leased or controlled by the City of Indianapolis or Marion County or any of their departments or agencies, including courts, and which is used or occupied for governmental purposes; provided, however, the following shall not be considered a local government building for purposes of this article:

- (1) Buildings owned or controlled by township trustees, the Marion County Healthcare Center, or independent municipal corporations having jurisdiction in Marion County.
- (2) Residential dwelling units occupied as private residences under agreements with the city or county, including public housing units.
- (3) Those portions of the county jail or other buildings used primarily as the living areas of inmates or other detainees.
- (4) Any buildings of the city or county occupied entirely by private businesses.
- (5) The bay area of a fire station that has living quarters.

(b) *Smoking* means the use of lighted tobacco in the form of a cigarette, cigar or similar item or in a pipe or similar smoking equipment, by inhaling and exhaling the smoke of the tobacco, and included the holding or carrying of such items when burning.

Sec. ~~20-207~~ 416-603. Penalties for violation.

Any person smoking in a local government building who continues smoking after being asked to stop smoking shall be subject to penalties for violations of city ordinances.



SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 26, 1994. The proposal, sponsored by Councillor Franklin, appropriates \$8,413 for the Superior Court, Criminal Division, Room Five, to fund an additional clerk's position. Councillor Dowden asked for consent to postpone Proposal No. 26, 1994 until April 25, 1994. Consent was given.

PROPOSAL NO. 139, 1994. The proposal, sponsored by Councillor Ruhmkorff, appropriates \$173,257 for the County Recorder to purchase additional terminals and upgrade computer system. Councillor West asked for consent to postpone Proposal No. 139, 1994 until April 25, 1994. Consent was given.

PROPOSAL NO. 148, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 148, 1994 on March 23, 1994. The proposal, sponsored by Councillor Moriarty Adams, appropriates \$15,444 for the Presiding Judge of the Municipal Court to replace equipment taken through creation of the new Public Defender Agency. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

The President called for public testimony at 9:45 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 148, 1994, as amended, was adopted on the following roll call vote; viz:

*20 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Golc, Gray, Jimison, Jones, Moriarty Adams, Mullin, O'Dell, Ruhmkorff, SerVaas, West, Williams*

*1 NAY: Rhodes*

*6 NOT VOTING: Giffin, Gilmer, Hinkle, Schneider, Shambaugh, Short*

*2 NOT PRESENT: McClamroch, Smith*

Proposal No. 148, 1994, as amended, was retitled FISCAL ORDINANCE NO. 8, 1994 and reads as follows:

#### **CITY-COUNTY FISCAL ORDINANCE NO. 8, 1994**

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Fifteen Thousand Four Hundred Forty-four Dollars (\$15,444) in the County General Fund for purposes of the Presiding Judge of the Municipal Court and reducing certain other appropriations of the County Auditor.

#### **BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (dd) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Presiding Judge of the Municipal Court to replace equipment taken through creation of the new Public Defender Agency. Original equipment purchased through a grant for the public defenders for which the Municipal Probation Department provided the hard match.

SECTION 2. The sum of Fifteen Thousand Four Hundred Forty-four Dollars (\$15,444) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

April 11, 1994

PRESIDING JUDGE OF THE MUNICIPAL COURT

4. Capital Outlay  
TOTAL INCREASE

COUNTY GENERAL FUND

\$15,444  
\$15,444

SECTION 4. The said additional appropriation is funded by the following reduction:

COUNTY AUDITOR

4. Capital Outlay  
TOTAL REDUCTION

COUNTY GENERAL FUND

\$15,444  
\$15,444

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 150, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 150, 1994 on March 23, 1994. The proposal, sponsored by Councillor Mullin, appropriates \$24,000 for the Prosecuting Attorney to utilize a state grant to organize a series of anti-gang training workshops for law enforcement agencies sponsored by Project COURAGE. By a 6-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:48 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Mullin, for adoption. Proposal No. 150, 1994 was adopted on the following roll call vote; viz:

19 YEAS: *Beadling, Black, Boyd, Brents, Coughenour, Curry, Dowden, Golc, Gray, Hinkle, Jimison, Jones, Moriarty Adams, Mullin, Rhodes, Ruhmkorff, SerVaas, West, Williams*

4 NAYS: *Borst, Franklin, Gilmer, Schneider*

4 NOT VOTING: *Giffin, O'Dell, Shambaugh, Short*

2 NOT PRESENT: *McClamroch, Smith*

Proposal No. 150, 1994 was retitled FISCAL ORDINANCE NO. 9, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 9, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Twenty-four Thousand Dollars (\$24,000) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (x) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to utilize a state grant to organize a series of anti-gang training workshops for law enforcement agencies sponsored by Project COURAGE.

SECTION 2. The sum of Twenty-four Thousand Dollars (\$24,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

PROSECUTING ATTORNEY

2. Supplies  
3. Other Services and Charges  
TOTAL INCREASE

STATE AND FEDERAL GRANTS FUND

\$ 9,000  
15,000  
\$24,000

SECTION 4. The said additional appropriations are funded by the following reductions:



Unappropriated and Unencumbered  
State and Federal Grants Fund  
TOTAL REDUCTION

STATE AND FEDERAL GRANTS FUND

\$24,000  
\$24,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 151, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 151, 1994 on March 23, 1994. The proposal, sponsored by Councillor Mullin, appropriates \$75,000 for the Prosecuting Attorney to conduct a comprehensive traffic safety program in Marion County funded by a state grant. By an 8-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

The President called for public testimony at 9:50 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Mullin, for adoption. Proposal No. 151, 1994, as amended, was adopted on the following roll call vote; viz:

21 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, Moriarty Adams, Mullin, Rhodes, Ruhmkorff, Schneider, SerVaas, West*

0 NAYS:

6 NOT VOTING: *Giffin, Gray, O'Dell, Shambaugh, Short, Williams*

2 NOT PRESENT: *McClamroch, Smith*

Proposal No. 151, 1994, as amended, was retitled FISCAL ORDINANCE NO. 10, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 10, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Seventy-five Thousand Dollars (\$75,000) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (x) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to conduct a comprehensive traffic safety program in Marion County. The state grant will be funded through the Prosecutor's Office and will include other law enforcement agencies.

SECTION 2. The sum of Seventy-five Thousand Dollars (\$75,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

PROSECUTING ATTORNEY

1. Personal Services
2. Supplies
3. Other Services and Charges
4. Capital Outlay

STATE AND FEDERAL GRANTS FUND

\$28,500  
12,500  
17,500  
10,000

April 11, 1994

COUNTY AUDITOR

1. Personal Services (fringes)  
TOTAL INCREASE

6,500  
\$75,000

SECTION 4. The said additional appropriation is funded by the following reductions:

STATE AND FEDERAL GRANTS FUND

Unappropriated and Unencumbered  
State and Federal Grants Fund  
TOTAL REDUCTION

\$75,000  
\$75,000

SECTION 5. This City-County Council has no intention of supplementing or financing the agency and/or projects approved herein by use of revenues from any local tax regardless of source. At anytime that knowledge is received that the state or federal financing of this agency or project is, or will be, reduced or eliminated, the supervisor or the county auditor, or both, are directed to notify the City-County Council in writing of such proposed loss of revenue.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 152, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 152, 1994 on March 23, 1994. The proposal, sponsored by Councillor Mullin, appropriates \$24,500 for the Prosecuting Attorney to utilize a state grant to conduct a study to determine if racial disparity exists in the adult and juvenile criminal justice systems in Marion County. By a 6-3 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken.

Councillor Jimison urged the Councillors to override the Committee's recommendation to strike and to pass this proposal. She said that this is a state grant to determine if racial disparity exists and if there is fairness at every level of the process.

Councillor Dowden stated that this study has already been done by the Marion County Justice Agency.

Councillor Franklin said that he believes the only ones who would benefit from this study are people already in the criminal justice system looking for a way out. He said he believes there is disparity in the Marion County justice system, but it is whether or not a person can afford a high-priced attorney.

Councillor Curry stated that he supports the motion to strike because (1) a study has already been completed in this area, and (2) when he asked the questions as to what will this data do, who will be the user of the data, what kind of conclusions are expected to be drawn, and what will be the expected benefit to the community, he said he did not receive satisfactory answers to his questions in Committee.

Councillor Mullin said he sponsored this proposal, and the intent of this study is to prove whether there is disparity from point A in the process to point Z. He said he believes there is a disparity and it has not been clarified as to what Marion County's percentage is at any point in the process.

Councillor Boyd stated that he believes that there is a need to take another look at this proposal. He is unaware as to whether there was a written proposal requesting these funds. If there was, he would like the opportunity to take a look at it and to see if some of Councillor



Curry's questions are addressed. He would ask that the proposal be tabled and discussed when additional information has been received.

Councillor Black commented that he believes there is always controversy when proposals are discussed concerning minorities.

Councillor Short moved, seconded by Councillor Gray, to table Proposal No. 152, 1994. The motion failed by the following roll call vote; viz:

*10 YEAS: Black, Boyd, Brents, Gilmer, Gray, Jimison, Jones, Mullin, Short, Williams*  
*17 NAYS: Beadling, Borst, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Hinkle, Moriarty*  
*Adams, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, West*  
*2 NOT PRESENT: McClamroch, Smith*

Councillor Jimison asked that Rob Smith, Chief Fiscal Officer, Marion County Prosecutor's Office, come forward and answer if another study has been made, and if this study is different from the one in this proposal. Mr. Smith replied that he does not know too much about the study that was performed by the Justice Agency, but the goal of this study is to determine that the laws are applied equally and fairly to everyone regardless of race. It is an analysis of the data at all points in the process.

The Committee's recommendation to strike Proposal No. 152, 1994 was sustained by the following roll call vote; viz:

*18 YEAS: Beadling, Borst, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle,*  
*Moriarty Adams, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, West*  
*9 NAYS: Black, Boyd, Brents, Gray, Jimison, Jones, Mullin, Short, Williams*  
*2 NOT PRESENT: McClamroch, Smith*

Councillor West asked for consent to explain his vote. Consent was given. Councillor West said that in this case there was no written proposal, the Committee did not receive a very good explanation as to what the study would accomplish, and it was not known who would be doing the study. The Prosecutor's Office is not the right agency to do this study concerning the justice system because it is part of the system.

PROPOSAL NOS. 153 and 154, 1994. PROPOSAL NO. 153, 1994. The proposal appropriates \$98,296 for the Superior Court, Juvenile Division/Detention Center, to pay the first year of a three year lease/purchase arrangement with the Indiana Bond Bank for a computer upgrade. PROPOSAL NO. 154, 1994. The proposal appropriates \$24,091 for the Superior Court, Juvenile Division/Detention Center, to cover service charges on computers and to purchase one modem for the court. Councillor Dowden asked for consent to postpone Proposal Nos. 153 and 154, 1994 until April 25, 1994. Consent was given.

### **SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 137, 1994. Acting Chairman Ruhmkorff reported that the Administration and Finance Committee heard Proposal No. 137, 1994 on April 5, 1994. The proposal, sponsored by Councillor Boyd, authorizes the Mayor to submit an application to the Indiana Housing Finance Authority for HOME Investment Funding on behalf of the Center Township

April 11, 1994

Trustee. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Ruhmkorff moved, seconded by Councillor Boyd, for adoption. Proposal No. 137, 1994, as amended, was adopted on the following roll call vote; viz:

*25 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, West, Williams*

*0 NAYS:*

*2 NOT VOTING: Giffin, Moriarty Adams*

*2 NOT PRESENT: McClamroch, Smith*

Councillor Moriarty Adams abstained due to a conflict of interest.

Proposal No. 137, 1994, as amended, was retitled SPECIAL RESOLUTION NO. 26, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 26, 1994

A SPECIAL RESOLUTION to authorize the Mayor to submit an application to the Indiana Housing Finance Authority for HOME Investment Funding on behalf of the Center Township Trustee. The requisite local funds in the amount of \$50,000.00 shall be comprised of revenues from the Center Township Trustee's Poor Relief Fund.

WHEREAS, the City of Indianapolis, Indiana, recognizes the need to stimulate growth and to maintain affordable housing within its corporate limits; and

WHEREAS, the National Affordable Housing Act of 1990, as amended, authorizes the Indiana Housing Finance Authority to provide awards to local units of government to meet the affordable housing and community development needs of low income persons; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND MARION COUNTY INDIANA:

SECTION 1. The Mayor of the City of Indianapolis is authorized to prepare and submit an application for grant funding on behalf of the Center Township Trustee to address conditions relating to a need to acquire and rehabilitate units of housing to provide transitional housing for the homeless in Center Township and to sponsor the Center Township Trustee's execution and administration of the resultant grant including requisite general administration and project management, contracts and agreements pursuant to regulations of the Indiana Housing Finance Authority and the United States Department of Housing and Urban Development.

SECTION 2. The City-County Council supports the Center Township Trustee's intention to provide the requisite local funds in the amount of Fifty Thousand Dollars (\$50,000) comprised of revenues from the Center Township Trustee's Poor Relief Fund as matching funds for said program, such matching funds to be contingent upon receipt of HOME Investment funding from the Indiana Housing Finance Authority.

SECTION 3. This resolution shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NO. 138, 1994. Acting Chairman Ruhmkorff reported that the Administration and Finance Committee heard Proposal No. 138, 1994 on April 4, 1994. The proposal, sponsored by Councillor Dowden, approves the leasing of farmland on Marion County Healthcare Center property by the Board of County Commissioners. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Ruhmkorff moved, seconded by Councillor Dowden, for adoption. Proposal No. 138, 1994 was adopted on the following roll call vote; viz:



25 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, Moriarty Adams, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, West, Williams*

0 NAYS:

2 NOT VOTING: *Giffin, Mullin*

2 NOT PRESENT: *McClamroch, Smith*

Proposal No. 138, 1994 was retitled SPECIAL RESOLUTION NO. 27, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 27, 1994

A SPECIAL RESOLUTION approving the leasing of certain property by the Board of County Commissioners.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council hereby approves, pursuant to IC 36-1-11-3, the lease of property by the Board of County Commissioners.

SECTION 2. The property consists of approximately 96 acres on the property of the Marion County Health Care Center and will be used for agricultural purposes.

SECTION 3. The property has been appraised as required by IC 36-1-11-4. The appraised lease value is \$82-\$85 per acre.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 149, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 149, 1994 on March 23, 1994. The proposal transfers and appropriates \$2,500 for the Superior Court, Criminal Division, Room Five, to cover 1994 maintenance agreement costs. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 149, 1994 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, West, Williams*

0 NAYS:

2 NOT PRESENT: *McClamroch, Smith*

Proposal No. 149, 1994 was retitled FISCAL ORDINANCE NO. 11, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 11, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Two Thousand Five Hundred Dollars (\$2,500) in the County General Fund for purposes of the Superior Court, Criminal Division, Room Five, and reducing certain other appropriations for that court.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

April 11, 1994

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (kk) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Criminal Division, Room Five, to cover 1994 maintenance agreement costs.

SECTION 2. The sum of Two Thousand Five Hundred Dollars (\$2,500) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM FIVE</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	\$2,500
TOTAL INCREASE	\$2,500

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM FIVE</u>	<u>COUNTY GENERAL FUND</u>
4. Capital Outlay	\$2,500
TOTAL REDUCTION	\$2,500

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 156, 1994. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 156, 1994 on March 31, 1994. The proposal approves an agreement between the City of Indianapolis and the Town of Speedway for sewage transportation and treatment services. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor Beadling, for adoption. Proposal No. 156, 1994 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, West, Williams*

0 NAYS:

2 NOT PRESENT: *McClamroch, Smith*

Proposal No. 156, 1994 was retitled SPECIAL ORDINANCE NO. 4, 1994 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 4, 1994

A SPECIAL ORDINANCE approving an Agreement between the City of Indianapolis and the Town of Speedway.

WHEREAS, the City of Indianapolis acting by and through its Department of Public works has agreed with the Town of Speedway to permit Speedway to extend sewer service into certain areas within the Indianapolis Sanitary District; and

WHEREAS, the terms of such agreement are set forth in an Agreement dated December 13, 1993; and

WHEREAS, such Agreement under IC 36-1-7 must be approved by the City-County Council before it becomes effective; now, therefore

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. That the City-County Council approves the form of the Agreement between the City of Indianapolis and the Town of Speedway for Sewage Transportation and Treatment Services, a copy of which is attached hereto.



SECTION 2. The Clerk is directed to publish this ordinance as an Appendix to the Revised Code.

AGREEMENT  
BETWEEN THE CITY OF INDIANAPOLIS  
AND THE TOWN OF SPEEDWAY  
FOR SEWAGE TRANSPORTATION AND TREATMENT SERVICES

THIS AGREEMENT ("Agreement") made and entered into as of the \_\_\_\_\_ day of \_\_\_\_\_, 1993, by and between the City of Indianapolis, Indiana ("City") duly acting through its Department of Public Works ("Department") and the Town of Speedway, Indiana, acting by and through its Town Council ("Speedway"),

WITNESSETH:

WHEREAS, in certain areas of the City, in the vicinity of Speedway, the City currently has no sanitary sewage system for transportation of waste water to its treatment plant capable of serving new residential or commercial development and does not, in the foreseeable future, plan to extend its sanitary sewer system to serve such areas; and

WHEREAS, Speedway has a sanitary sewage transportation and treatment system and is willing to accept waste water from certain territory outside the territorial boundaries of Speedway pursuant to IC 36-9-2-18, but within the territorial boundaries of City; and

WHEREAS, the City and Speedway wish to define those areas outside Speedway but within City for which Speedway may furnish waste water transportation and treatment services for residential and commercial development; and

WHEREAS, the laws of the State of Indiana (IC 36-1-7-2) permit intergovernmental agreements for services contemplated by this Agreement.

NOW, THEREFORE, City and Speedway mutually agree as follows:

1. Speedway may enter into private contracts with land owners in the areas hereinafter defined to build sewage transportation systems which shall be connected to the sewage transportation system of Speedway and Speedway shall provide sewage transportation and sewage treatment services at the Speedway waste water treatment plant for all sewage generated by any system built as a result of such private contracts.

2. Speedway (a) shall conduct all inspections of construction of sewage systems constructed pursuant to such private contracts and this Agreement, (b) shall accept sewage from such system for treatment, (c) shall provide sewage treatment of all waste water generated by such sewage systems and (d) after dedication and acceptance of such sewage systems shall provide maintenance of such sewage systems for the benefit of the users. All inspections and all maintenance after acceptance shall be conducted by or under the supervision of the Department of Public Works of Speedway.

3. Speedway shall be entitled to charge connection fees for connection to a sewage system constructed pursuant to this Agreement equal to the amount charged by Speedway for connections within the territorial limits of Speedway.

4. All connection fees and all sewer usage fees shall be collected by the Clerk-Treasurer of Speedway and shall be deposited in the accounts into which such deposits would be deposited if the territory being served were located within the territorial limits of Speedway.

5. The territory to be served by Speedway pursuant to this Agreement is described on Exhibit "A" attached hereto. This Agreement may be amended from time to time by the recording of an amendment which amends Exhibit "A". Such amendment shall only be effective if signed by the Director of the Department of Public Works of the City of Indianapolis.

6. Speedway agrees with respect to any sewage system it accepts and with respect to treatment of waste water received from such system or systems to comply with all applicable provisions of the Federal Water Pollution Control Act, as amended from time to time, and all State laws as amended from time to time, governing the transportation and/or treatment of waste water and to hold the City harmless from any and all liability arising out of a violation of such laws.

April 11, 1994

7. This Agreement shall not release any of the property described in Exhibit "A" or any subsequent amendment to Exhibit "A" from payment of any sanitary district debt service property tax payable to the City or County of Marion.

8. If at any time the City shall construct any sewer(s), local or district, which are designed to serve an area in which the above described real estate is included, the owners of said real estate or their successor(s) in interest shall pay all assessments which may be lawfully levied and assessed against said real estate for the construction of any such sewers(s) and the owners shall not attempt to avoid payment of such assessments on the ground that such sewer(s) will not benefit said real estate by reason of the connection permitted by this Agreement.

9. If a City sewer at any time becomes available to the owners, owners shall, as required by applicable laws, ordinances and regulations, including, but not limited to, those promulgated by the Marion County Health Department, connect to the City sewer at owners' sole expense.

IN WITNESS WHEREOF, the undersigned certify that they are duly authorized and empowered to execute this Agreement and thus bind the governmental unit in whose behalf they sign on the date and year first above written.

CITY OF INDIANAPOLIS, INDIANA  
DEPARTMENT OF PUBLIC WORKS

By: \_\_\_\_\_  
Michael B. Stayton, Director

AS AUTHORIZED BY THE BOARD OF  
PUBLIC WORKS BY RESOLUTION NO. \_\_\_\_\_  
DATED \_\_\_\_\_

AS AUTHORIZED BY THE CITY-COUNTY  
COUNCIL BY RESOLUTION NO. \_\_\_\_\_  
DATED \_\_\_\_\_

STATE OF INDIANA     )  
                                      ) SS:  
COUNTY OF MARION    )

Before me, a Notary Public in and for the State of Indiana, personally appeared Michael B. Stayton, Acting Director of the Department of Public Works, Indianapolis, Indiana, and who acknowledged the execution of the foregoing Agreement, for and on behalf of said entity.

Witness my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, 1993.

\_\_\_\_\_  
Commission Expiration Date

\_\_\_\_\_  
County of Residence

TOWN OF SPEEDWAY, INDIANA

\_\_\_\_\_  
Robert L. Faris

\_\_\_\_\_  
Paul V. Clarke

\_\_\_\_\_  
Charles E. Bowling

\_\_\_\_\_  
Clarence E. Delporte

\_\_\_\_\_  
Sharon Zishka

\_\_\_\_\_  
Notary Public Signature

\_\_\_\_\_  
Printed



SPEEDWAY TOWN COUNCIL

ATTEST:

\_\_\_\_\_  
John R. Sneyd, Clerk-Treasurer

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Henry C. Ryder, Town Attorney

STATE OF INDIANA    )  
                              ) SS:  
COUNTY OF MARION )

Before me, a Notary Public in and for the State of Indiana, personally appeared the Town of Speedway, Indiana, by its Town Council, Robert L. Faris, Paul V. Clarke, Charles E. Bowling, Clarence E. Delporte and Sharon Zishka, who acknowledged the execution of the foregoing Agreement, for and on behalf of said entity.

Witness my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, 1993.

\_\_\_\_\_  
Commission Expiration Date

\_\_\_\_\_  
Notary Public Signature

\_\_\_\_\_  
County of Residence

\_\_\_\_\_  
Printed

PROPOSAL NO. 157, 1994. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 157, 1994 on March 31, 1994. The proposal approves an agreement between the City of Indianapolis and the City of Beech Grove to authorize Indianapolis to review and grant stormwater permits and enforce drainage regulation within the City of Beech Grove. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 157, 1994 was adopted on the following roll call vote; viz:

*27 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, West, Williams*

*0 NAYS:*

*2 NOT PRESENT: McClamroch, Smith*

Proposal No. 157, 1994 was retitled SPECIAL ORDINANCE NO. 5, 1994 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 5, 1994

A SPECIAL ORDINANCE approving an Agreement between the City of Indianapolis and the City of Beech Grove.

WHEREAS, the City of Indianapolis acting by and through its Department of Public works has agreed with the City of Beech Grove to authorize Indianapolis to review and grant stormwater permits and enforce drainage regulation within the City of Beech Grove; and

WHEREAS, the terms of such agreement are set forth in an Agreement dated December 6, 1993; and

WHEREAS, such Agreement under IC 36-1-7 must be approved by the City-County Council before it becomes effective; now, therefore

April 11, 1994

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. That the City-County Council approves the form of the Agreement between the City of Indianapolis and the City of Beech Grove for drainage enforcement, a copy of which is attached hereto.

SECTION 2. The Clerk is directed to publish this ordinance as an Appendix to the Revised Code.

RESOLUTION NO. 14, 1993

A Resolution Approving an Interlocal Agreement  
with the City of Indianapolis for Review of  
Stormwater Permits and Enforcement of  
Stormwater Ordinances and Regulations

Whereas, IC 36-1-7-2 provides that Indiana Municipal Corporations may enter into interlocal agreements governing subjects of mutual interest; and

Whereas, the City of Beech Grove wishes to enter into an interlocal agreement for review of stormwater permits and enforcement of stormwater ordinances and regulations by the Consolidated City of Indianapolis; and

Whereas, the attached agreement marked Exhibit "A" establishes the terms and conditions by which the Consolidated City of Indianapolis will review and grant permits for the construction of stormwater facilities and enforce drainage regulations in the City of Beech Grove, Indiana;

NOW THEREFORE BE IT RESOLVED by the  
City of Beech Grove, Indiana that:

1. The Interlocal Cooperation Agreement Between the City of Indianapolis, Indiana and Beech Grove, Indiana for Review of Stormwater Permits and Enforcement of Stormwater Ordinances and Regulations, which is attached to this Resolution as Exhibit "A" is hereby approved as to form and content.

2. That the said agreement shall become effective upon passage of a resolution of the City of Indianapolis which approves said agreement as to form and content.

PASSED IN REGULAR SESSION THIS 6TH DAY OF DECEMBER, 1993.

COMMON COUNCIL

Robert E. Page

Bettylou Earleywine

Mary A. Bates

Nancy Sue Day

T. Gene Humphrye

Richard H. Templin

Jack L. Brown

ATTEST:

Marcella Miceli, Clerk-Treasurer

Presented to me and approved this 6th day of December, 1993.

J. Warner Wiley, Mayor, City of Beech Grove, Indiana



EXHIBIT "A"

INTERLOCAL COOPERATION AGREEMENT  
BETWEEN THE CITY OF INDIANAPOLIS, INDIANA  
AND BEECH GROVE, INDIANA  
FOR REVIEW OF STORMWATER PERMITS  
AND ENFORCEMENT OF STORMWATER ORDINANCES  
AND REGULATIONS

This Interlocal Cooperation Agreement ("Agreement") is executed by and between the Consolidated City of Indianapolis, Indiana, by and through its Department of Public Works ("City"), and the City of Beech Grove ("Beech Grove").

SECTION 1. AUTHORITY

The parties enter into this Agreement in accordance with the provisions of Ind. Code §36-1-7-2.

SECTION 2. AGREEMENT PURPOSE

The purpose of this Agreement is to establish the terms and conditions by which City will review and grant permits for the construction of stormwater facilities and enforce drainage regulations in Beech Grove.

SECTION 3. TERM

This Agreement shall be in effect from the date this document is executed by the parties until terminated for any reason on thirty (30) days written notice sent by either the Director of the Department of Public Works of the City of Indianapolis or his designee ("Director") or Mayor of Beech Grove, to the other by certified mail, return receipt requested. It is anticipated that no property, either real or personal, will be acquired as a result of this Agreement. To the extent such property is acquired, it shall be held solely in the name and for the benefit of City.

SECTION 4. SCOPE OF SERVICES

- A. City shall enforce drainage requirements within Beech Grove. Such requirements include all provisions of Chapter 10.5 of the Code of the Consolidated City of Indianapolis. It is the intent of the parties that the City enforce drainage and stormwater policy within Beech Grove as if the territory comprising the City of Beech Grove were part of the Consolidated City of Indianapolis and not an excluded city.
- B. Prior to City's exercise of the authority provided above, Beech Grove shall adopt by ordinance the provisions of Chapter 10.5 of the Code of the Consolidated City of Indianapolis. Beech Grove further agrees to adopt by ordinance any amendments or revisions to Chapter 10.5 and any regulations enacted thereunder by the Board of Public Works of the City.

SECTION 5. COMPENSATION

City shall collect and retain any and all fees and fines currently required or later established from applicants and others for drainage and stormwater review and enforcement. It is the intent of the parties that all residents of Beech Grove be required to pay the same fees and fines for drainage services under Chapter 10.5 as are required of residents of the City.

SECTION 6. AMENDMENT

This Agreement may be amended, modified or supplemented only by written instrument signed by each of the parties hereto, and any such amendment may pertain to one or more of the provisions of this Agreement without affecting other provisions of this Agreement.

SECTION 7. APPLICABLE LAWS

This Agreement shall be governed by the laws of the State of Indiana and by all municipal ordinances and codes of the City.

April 11, 1994

SECTION 8. BOARD

There is hereby created a Joint Board comprised of the Director and the Mayor of Beech Grove to perform any legal duty required to carry out the terms of this Agreement.

SECTION 9. SEVERABILITY

If any provision of this Agreement is held to be invalid, illegal or unenforceable by a court of competent jurisdiction, the provision shall be stricken, and all other provisions of this Agreement which can operate independently of such stricken provision shall continue in full force and effect.

SECTION 10. ENTIRE AGREEMENT

This Agreement represents the entire understanding between the City and Beech Grove regarding this subject matter and supercedes all prior negotiations, representations, and/or contracts, either oral or written.

IN WITNESS WHEREOF, the undersigned certify that they are duly authorized and empowered to execute this Agreement and thus bind the governmental unit in whose behalf they sign.

CITY OF INDIANAPOLIS, INDIANA  
DEPARTMENT OF PUBLIC WORKS

CITY OF BEECH GROVE, INDIANA  
DEPARTMENT OF PUBLIC WORKS

By: \_\_\_\_\_  
Michael B. Stayton, Director

By: \_\_\_\_\_  
Director

AS AUTHORIZED BY THE BOARD OF  
PUBLIC WORKS BY RESOLUTION NO. \_\_\_\_\_  
DATED: \_\_\_\_\_

AS AUTHORIZED BY THE BOARD OF  
SANITATION  
\_\_\_\_\_  
Signature

AS AUTHORIZED BY THE CITY-COUNTY  
COUNCIL BY RESOLUTION NO. \_\_\_\_\_  
DATED: \_\_\_\_\_  
PROPOSAL NO. \_\_\_\_\_

\_\_\_\_\_  
Printed  
\_\_\_\_\_  
Signature

ATTEST:  
\_\_\_\_\_  
Lisa Hansen, Secretary      Signature

\_\_\_\_\_  
Printed  
\_\_\_\_\_  
Printed

APPROVED:  
\_\_\_\_\_  
James H. Steele, Jr., Controller

APPROVED:  
\_\_\_\_\_  
Pamela Carter, Attorney General of Indiana

AS AUTHORIZED BY THE CITY  
COUNCIL OF BEECH GROVE  
\_\_\_\_\_  
Signature  
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PROPOSAL NO. 162, 1994. The proposal, sponsored by Councillors SerVaas, Beadling, Borst, Coughenour, Curry, Franklin, Gilmer, McClamroch, O'Dell, Rhodes and Smith, designates the east and west wings of the City-County Building for court facilities and approving securing those wings from unauthorized access. Councillor Curry asked for consent to postpone Proposal No. 162, 1994 until May 5, 1994. Consent was given.

PROPOSAL NOS. 164, 165, 166, 167, 168 and 170, 1994. Councillor Gilmer asked for consent to vote on these six transportation proposals together. Consent was given. PROPOSAL NO. 164, 1994. The proposal amends the Code by authorizing stop signs for Arbor Wood subdivision (District 18). PROPOSAL NO. 165, 1994. The proposal amends the Code by authorizing a multi-way stop at Raymond Street and Beulah Avenue (District 17). PROPOSAL NO. 166, 1994. The proposal amends the Code by authorizing a multi-way stop at Alabama Street and 19th Street (District 22). PROPOSAL NO. 167, 1994. The proposal amends the Code by authorizing a multi-way stop at New Jersey Street and 19th Street (District 22). PROPOSAL NO. 168, 1994. The proposal amends the Code by deleting a 35 mph speed limit for Tansel Road between Crawfordsville Road and Raceway Road (District 18). PROPOSAL NO. 170, 1994. The proposal amends the Code by changing the parking restrictions on segments of New York Street (District 22). Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 164, 165, 166, 167, 168 and 170, 1994 on March 23, 1994. By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Hinkle, for adoption. Proposal Nos. 164, 165, 166, 167, 168 and 170, 1994, were adopted on the following roll call vote; viz:

*23 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, Mullin, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, West, Williams*

*0 NAYS:*

*4 NOT VOTING: Dowden, Giffin, Moriarty Adams, O'Dell*

*2 NOT PRESENT: McClamroch, Smith*

Proposal No. 164, 1994 was retitled GENERAL ORDINANCE NO. 51, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 51, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY

April 11, 1994

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
30, Pg. 1	Arbor Woods Dr & Bower Dr	Arbor Woods Dr	Stop
30, Pg. 1	Arbor Woods Dr & High School Rd	High School Rd	Stop
30, Pg. 1	Arbor Woods Dr & Pergola Ln	Pergola Ln	Stop
30, Pg. 1	High School Rd & Pergola Ln	High School Rd	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 165, 1994 was retitled GENERAL ORDINANCE NO. 52, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 52, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
30, Pg. 2	Raymond St & Beulah Av	Raymond St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
30, Pg. 2	Raymond St & Beulah Av	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 166, 1994 was retitled GENERAL ORDINANCE NO. 53, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 53, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:



<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 1	Alabama St. & 19th St.	Alabama St.	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 1	Alabama St. & 19th St.	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 167, 1994 was retitled GENERAL ORDINANCE NO. 54, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 54, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 19	New Jersey St. & 19th St.	New Jersey St.	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 19	New Jersey St. & 19th St.	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 168, 1994 was retitled GENERAL ORDINANCE NO. 55, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 55, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-136, Alteration of prima facie speed limits.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-136, Alteration of prima facie speed limits, be, and the same is hereby amended by the deletion of the following, to wit:

35 MPH  
Tansel Road,  
from Crawfordsville Road to Raceway Road

*April 11, 1994*

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 170, 1994 was retitled GENERAL ORDINANCE NO. 56, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 56, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Chapter 29, Sec. 29-268, Parking prohibited at all times on certain streets, and Sec. 29-271, Stopping, standing or parking prohibited at designated locations on certain days and hours.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby amended by the deletion of the following, to wit:

New York Street, on the south side, from  
Davidson Street to State Street

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-271, Stopping, standing or parking prohibited at designated locations on certain days and hours, be, and the same is hereby amended by the addition of the following, to wit:

ON ANY DAY EXCEPT SATURDAYS AND SUNDAYS  
*from 3:00 p.m. to 6:00 p.m.*

New York Street, on the south side, from  
Dickson Street to Arsenal Avenue

SECTION 3. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be and the same is hereby amended by the addition of the following, to wit:

New York Street, on the south side, from  
Davidson Street to Dickson Street

New York Street, on the south side, from  
Arsenal Avenue to State Street

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**NEW BUSINESS**

Councillor Golc invited all the Councillors to a ground-breaking ceremony on Monday, April 18, 1994, 10:00 a.m. for a new fire station at 42 North Warman.

Councillor Williams applauded the Council staff for the efficient turnaround with Committee minutes on some long hearings which were held recently. The President added that it is a hard-working staff and their work has been excellent.

Councillor Beadling said that she wanted to thank the Meals on Wheels for delivering meals recently to some of the Councillors.



## **ANNOUNCEMENTS AND ADJOURNMENT**

Councillor Boyd stated that he has been asked to offer the following motion for adjournment by Councillor Smith. Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Francis Ned Wheatley. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:45 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 11th day of April, 1994.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Acting Clerk of the Council

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, APRIL 25, 1994**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:05 p.m. on Monday, April 25, 1994, with Councillor SerVaas presiding.

Councillor Hinkle led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*29 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

A quorum of twenty-nine members being present, the President called the meeting to order.

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Gray introduced Dr. Shirl E. Gilbert, Superintendent, Indianapolis Public Schools, and William Douglas, Assistant Superintendent, Supplemental and Auxiliary Services, Indianapolis Public Schools. Councillor Ruhmkorff introduced members of Boy Scout Troop #137 of Old Bethel United Methodist Church: John Shurig, Assistant Scoutmaster; Steve Baker, Adult Leader; and Justin Baker, Kevin Eastin and Neil Thomas, scouts. Councillor Black introduced Sunny and Barbara Boyd, reporter, WTHR-TV. Councillor O'Dell introduced Ray Irvin, former Council Member. Councillor Beadling introduced Howard Caldwell, reporter, WTHR-TV.



Dr. Gilbert made a presentation on the National Science Foundation's (NSF) Urban Systemic Initiative. Indianapolis Public Schools plans to create a task force to oversee the development of the proposal for the \$15 million grant from NSF.

## **OFFICIAL COMMUNICATIONS**

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, April 25, 1994, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Beurt SerVaas, President  
City-County Council

April 12, 1993

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, April 14, 1994, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 200, 201, 204, 205, 206, 207, 208, 215, 216, 217, 222, 1994, to be held on Monday, April 25, 1994, at 7:00 p.m., in the City-County Building.

Respectfully,  
s/Suellen Hart  
Suellen Hart, Assistant City Clerk

April 14, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Acting Clerk of the City-County Council, Robert G. Elrod, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 9, 1994 - appropriating \$24,000 for the Prosecuting Attorney to utilize a state grant to organize a series of anti-gang training workshops for law enforcement agencies sponsored by Project COURAGE

FISCAL ORDINANCE NO. 10, 1994 - appropriating \$75,000 for the Prosecuting Attorney to conduct a comprehensive traffic safety program in Marion County funded by a state grant

GENERAL ORDINANCE NO. 49, 1994 - approving transfer of certain territory located at 4000 9th Avenue from the Consolidated City of Indianapolis to the City of Beech Grove

GENERAL ORDINANCE NO. 50, 1994 - amending the Code concerning smoking restrictions in local governmental buildings

*April 25, 1994*

GENERAL ORDINANCE NO. 51, 1994 - amending the Code by authorizing stop signs for Arbor Wood subdivision (District 18)

GENERAL ORDINANCE NO. 52, 1994 - amending the Code by authorizing a multi-way stop at Raymond Street and Beulah Avenue (District 17)

GENERAL ORDINANCE NO. 53, 1994 - amending the Code by authorizing a multi-way stop at Alabama Street and 19th Street (District 22)

GENERAL ORDINANCE NO. 54, 1994 - amending the Code by authorizing a multi-way stop at New Jersey Street and 19th Street (District 22)

GENERAL ORDINANCE NO. 55, 1994 - amending the Code by deleting a 35 mph speed limit for Tansel Road between Crawfordsville Road and Raceway Road (District 18)

GENERAL ORDINANCE NO. 56, 1994 - amending the Code by changing the parking restrictions on segments of New York Street (District 22)

SPECIAL ORDINANCE NO. 4, 1994 - approving an agreement between the City of Indianapolis and the Town of Speedway for sewage transportation and treatment services

SPECIAL ORDINANCE NO. 5, 1994 - approving an agreement between the City of Indianapolis and the City of Beech Grove to authorize Indianapolis to review and grant stormwater permits and enforce drainage regulation within the City of Beech Grove

SPECIAL RESOLUTION NO. 21, 1994 - recognizing mathematics-talented student Melanie Wood

SPECIAL RESOLUTION NO. 22, 1994 - recognizing Cathedral Coach Joseph F. Dezelan

SPECIAL RESOLUTION NO. 23, 1994 - recognizing the award-winning Belmont AWT engineering project

SPECIAL RESOLUTION NO. 24, 1994 - recognizing the Indy Miata Chapter of the Miata Club of America

SPECIAL RESOLUTION NO. 25, 1994 - affirming Council support for the Capital Improvements Board to proceed with a new downtown baseball stadium

SPECIAL RESOLUTION NO. 26, 1994 - authorizing the Mayor to submit an application to the Indiana Housing Finance Authority for HOME Investment Funding on behalf of the Center Township Trustee

SPECIAL RESOLUTION NO. 27, 1994 - approving the leasing of farmland on Marion County Healthcare Center property by the Board of County Commissioners

Respectfully,  
s/Stephen Goldsmith  
Mayor, City of Indianapolis

### **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

### **APPROVAL OF JOURNALS**

President SerVaas called for additions or corrections to the Journal of April 11, 1994. There being no additions or corrections, the minutes were approved as distributed.

### **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 259, 1994. This proposal, sponsored by Councillors Borst, Coughenour and Mullin, recognizes Southport High School's 100th Anniversary. Councillor Borst read the resolution and presented a copy of the document to Dr. Lloyd Bodie, Principal, Southport High School, who expressed appreciation for the recognition. Councillor Borst moved,



seconded by Councillor Franklin, for adoption. Proposal No. 259, 1994 was adopted by unanimous voice vote.

Proposal No. 259, 1994 was retitled SPECIAL RESOLUTION NO. 28, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 28, 1994

A SPECIAL RESOLUTION recognizing Southport High School's 100th Anniversary.

WHEREAS, the people of Indianapolis take great pride in the academic and extracurricular accomplishments of its students and the quality of its educational institutions; and

WHEREAS, Southport High School has been an example of excellence in public instruction since it was commissioned as a high school, and graduated a class of six in 1894; and

WHEREAS, Southport High School has expanded in the past one hundred years from a small building across from a "salt and grain" store to today's attractive modern structure accommodating a faculty of 100 and a student enrollment of 1,550; and

WHEREAS, the students of Southport High School currently enjoy and benefit from 13 sporting programs, four academic teams and over 30 school clubs and organizations; and

WHEREAS, Southport High School and its students have been a constant source of pride for this city and the growing community of Southport for the past 100 years; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and congratulates Southport High School on its 100th Anniversary.

SECTION 2. During this year of celebration, the century of accomplishments by the students, faculty, staff, board members, taxpayers and alumni of Southport High School are remembered; but those memories also serve as a source of inspiration for launching an even stronger second century for this proud school.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 260, 1994. This proposal, sponsored by Councillors Golc and Borst, recognizes IPS science teacher Kevin C. Koers. Councillor Golc read the resolution and presented a copy of the document to Mr. Koers, who expressed appreciation for the recognition. Councillor Golc moved, seconded by Councillor West, for adoption. Proposal No. 260, 1994 was adopted by unanimous voice vote.

Proposal No. 260, 1994 was retitled SPECIAL RESOLUTION NO. 29, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 29, 1994

A SPECIAL RESOLUTION recognizing IPS science teacher Kevin C. Koers.

WHEREAS, Kevin C. Koers is an outstanding science teacher at Indianapolis Public Schools Edison Middle School; and

WHEREAS, to bring science to life he utilizes White River which flows behind the school to teach such science subjects as states of matter, the effects of temperature, watersheds, pollution, erosion, food chains, ripple

April 25, 1994

wavelengths, light scattering and reflection, genetic diversity, mimicry, protective coloration, geology, chemistry and science careers; and

WHEREAS, classes test water for dissolved oxygen, carbon dioxide and temperature, they actively participate in the Parks Department's Indianapolis Greenways by having cleaned up 3.2 tons of trash and debris from the riverbanks, and have been officially allowed to "Adopt" a section of the river near Edison Middle School; and

WHEREAS, Mr. Koers has been commended for his work by IPS Superintendent Shirl E. Gilbert II, and at their national forum earlier this school year was one of only 20 science teachers out of 225 applicants who were selected by the American Association for the Advancement of Science to be recognized for exemplary science teaching practices; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and commends Kevin C. Koers of IPS Edison Middle School for his exceptional job of teaching science by taking the initiative to fully utilize White River which flows near the school.

SECTION 2. Mr. Koers reflects the highest credit upon Indianapolis Public Schools, the teaching profession, public education, science awareness and upon himself and his students.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 261, 1994. This proposal, sponsored by Councillor Golc, recognizes Harvey Knox, the "Mayor of Stringtown." Councillor Golc read the resolution and presented a copy of the document to Mr. Knox, who expressed appreciation for the recognition. Councillor Golc moved, seconded by Councillor Boyd, for adoption. Proposal No. 261, 1994 was adopted by unanimous voice vote.

Proposal No. 261, 1994 was retitled SPECIAL RESOLUTION NO. 30, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 30, 1994

A SPECIAL RESOLUTION recognizing Harvey Knox, the "Mayor of Stringtown."

WHEREAS, a neighborhood can become more viable, strong and dynamic when its residents band together for the good of the community; and

WHEREAS, to be the most effective, such a neighborhood should have strong local indigenous leadership to serve as a spark plug and catalyst to make things happen; and

WHEREAS, in Stringtown, an area in the near Westside of Indianapolis, that catalyst for the Stringtown Neighborhood Association Council ("SNAC") is 63-year-old Harvey Knox; and

WHEREAS, Mr. Knox is a lifelong resident of Stringtown, is from a family of 16, has 10 children of his own, is a local businessman who initiated the Stringtown Council and even donated an old house for its meeting hall, is a precinct committeeman, and is considered by his friends to be tenacious, wise, compassionate, stubborn, believing and honest; and

WHEREAS, Mr. Knox has been the force behind the neighborhood initiatives for more Indianapolis Police Department bicycle police patrols, beat officers and the Weed and Seed program to benefit the area; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:



SECTION 1. The Indianapolis City-County Council recognizes Harvey Knox who has personally been the guiding force for the betterment of his area of Indianapolis known as Stringtown.

SECTION 2. For this dedication to, and hard work for, the neighborhood Harvey Knox is known far and wide as the "Mayor of Stringtown."

SECTION 3. The Council wishes Mr. Knox, his family and his beloved neighborhood the best in the years to come.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 262, 1994. This proposal, sponsored by Councillors Beadling and Jones, recognizes television reporter Barbara Boyd. Councillor Jones read the resolution and presented a copy of the document to Ms. Boyd, who expressed appreciation for the recognition. Councillor Jones moved, seconded by Councillor Giffin, for adoption. Proposal No. 262, 1994 was adopted by unanimous voice vote.

Proposal No. 262, 1994 was retitled SPECIAL RESOLUTION NO. 31, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 31, 1994

A SPECIAL RESOLUTION recognizing television reporter Barbara Boyd.

WHEREAS, Barbara Boyd joined the WRTV Channel 6 television news staff in February, 1969; and

WHEREAS, over the next 25 years with the station she covered hard news of stabbings and tragedies, consumer education, personalities, public events, and even did a first-person account from her hospital bed about recovering from a cancer operation; and

WHEREAS, Mrs. Boyd is a native of Evanston, Illinois, and attended the University of Illinois and Indiana University; and

WHEREAS, she was office manager for the Indianapolis Head Start program when she learned that Channel 6 was searching for a diversified newsroom--and never dreamed that she would win the job, and be with Channel 6 for the next quarter century and become a popular household name throughout Indianapolis; and

WHEREAS, Barbara Boyd is a people-person, has deeply enjoyed the countless number of good people she has met during her years in broadcasting and has received numerous awards and honors for her reporting work; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and applauds the excellent journalistic work of Channel 6 reporter Barbara Boyd during the past 25 years.

SECTION 2. The Council wishes Barbara, her husband of 40 years, Ted, and their children and grandchildren the best of health and happiness in the years to come.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 263, 1994. This proposal, sponsored by Councillors Beadling and Jones, recognizes television news anchor Howard Caldwell. Councillor Beadling read the resolution and presented a copy of the document to Mr. Caldwell, who expressed appreciation for the

April 25, 1994

recognition. Councillor Beadling moved, seconded by Councillor Short, for adoption. Proposal No. 263, 1994 was adopted by unanimous voice vote.

Proposal No. 263, 1994 was retitled SPECIAL RESOLUTION NO. 32, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 32, 1994

A SPECIAL RESOLUTION recognizing television news anchor Howard Caldwell.

WHEREAS, for 35 years Howard Caldwell has given Indianapolis the evening news on television; and

WHEREAS, three days after joining what is now WTHR-TV Channel 6 in 1959, Mr. Caldwell was asked to anchor the 7 p.m. news; and

WHEREAS, during those years at the station he was the first American newsman to interview newly-elected Indian Prime Minister Indira Gandhi, and stayed all night to report from the scene at the 1963 State Fairgrounds Coliseum explosion disaster; and

WHEREAS, Caldwell is a graduate of Howe High School, served in World War II and the Korean War, received a journalism degree from Butler University and a Master's Degree 18 years later, worked for a small town weekly newspaper and at a Terre Haute television station; and

WHEREAS, during his 35 years with Channel 6 he authored two books, was president of and received two journalism awards from the Indianapolis Press Club, and in 1991 was inducted into the Indiana Broadcasters Association Hall of Fame; and

WHEREAS, on May 30, 1994, Howard Caldwell's full time television news career will come to a close; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes Howard Caldwell, a well respected professional television news reporter for the past 35 years.

SECTION 2. He has set the pace for broadcast fairness, sincerity and accuracy.

SECTION 3. The Council wishes Mr. Caldwell, and his wife for 39 years, Lynn, the best of health and happiness in the years ahead.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 264, 1994. This proposal, sponsored by Councillors Coughenour, Rhodes and Williams, concerns federal anti-crime legislation. Councillor Coughenour read the resolution and suggested a copy of the document be sent to the National League of Cities and the National Association of Counties.

Councillor Dowden explained why he will be voting in opposition of the resolution. He explained that as Chairman of Public Safety he believed that the resolution was out of character since the National Anti-Crime legislation is being addressed in Washington. Councillor Williams stated that the Council will not be supporting a particular or specific piece of legislation at the national level; the Council will be urging swift resolutions to crime problems. Councillor Rhodes explained the efforts of the National Association of Counties to address the unfunded federal mandates and how they relate to Proposal No. 264, 1994.



Councillor Coughenour moved, seconded by Councillor McClamroch, for adoption. Proposal No. 264, 1994 was adopted by the following roll call vote; viz:

*16 YEAS: Beadling, Black, Boyd, Brents, Coughenour, Golc, Gray, Jimison, Jones, Moriarty Adams, Mullin, Rhodes, SerVaas, Short, West, Williams*

*13 NAYS: Borst, Curry, Dowden, Franklin, Giffin, Gilmer, Hinkle, McClamroch, O'Dell, Ruhmkorff, Schneider, Shambaugh, Smith*

Proposal No. 264, 1994 was retitled SPECIAL RESOLUTION NO. 33, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 33, 1994

A SPECIAL RESOLUTION concerning federal anti-crime legislation.

WHEREAS, no community or family is untouched by incidents of crime or the fear of being victimized by crime; and

WHEREAS, the level of violence associated with criminal acts is also increasing; and

WHEREAS, reductions in the level of crime and the level of fear of crime will require enactment of meaningful national anti-crime legislation, as well as co-ordinated efforts by local communities and state governments to develop and implement long-term solutions which deal with both the causes and effects of crime; and

WHEREAS, achieving a productive partnership to cut crime will require immediate action by the Congress; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council calls upon the Congress to end the national legislative gridlock and enact anti-crime legislation so that the resources and programs which such legislation will provide can be utilized on a timely basis.

SECTION 2. Such anti-crime legislation should include: A balanced approach which includes both enforcement and prevention programs; and direct block grant anti-crime funds to cities and towns, with maximum flexibility allowed in the use of those funds.

SECTION 3. In addition, we would encourage replacing rigid divisions of responsibility between prosecutors, judges, correction officials, youth service and social service professionals with an information sharing task force which meets regularly to identify potential threats to a community.

SECTION 4. Be it further resolved that Indianapolis rededicates itself to crime prevention and suppression and calls upon its citizens to assist in these efforts.

SECTION 5. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 6. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

The President asked for consent to vote on the following appointments together. Consent was given.

PROPOSAL NOS. 142, 145, 171, and 229, 1994. The President stated that these board appointments were heard by various committees. The Committees have recommended to the full Council that the proposals be adopted. PROPOSAL NO. 142, 1994. The proposal approves Phyllis Carr to the Urban Enterprise Association. PROPOSAL NO. 145, 1994. The proposal approves the Mayor's appointment of Leon E. Younger as Director of the

*April 25, 1994*

Department of Parks and Recreation. PROPOSAL NO. 171, 1994. The proposal approves Glenda Smith to the Community Centers of Indianapolis Board. PROPOSAL NO. 229, 1994. This proposal approves Robert A. Stewart to the Metropolitan Board of Zoning Appeals Division III. Proposal Nos. 142, 145, 171 and 229, 1994 were adopted by unanimous voice vote.

Proposal No. 142, 1994 was retitled COUNCIL RESOLUTION NO. 61, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 61, 1994

A COUNCIL RESOLUTION reappointing Phyllis Carr to the Urban Enterprise Association.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Urban Enterprise Association, the Council appoints:

Phyllis Carr

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1997. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 145, 1994 was retitled COUNCIL RESOLUTION NO. 62, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 62, 1994

A COUNCIL RESOLUTION approving the Mayor's appointment of Leon Edward Younger as Director of the Department of Parks and Recreation for a term ending December 31, 1994.

WHEREAS, pursuant to IC 36-3-5-2 and Sec. 241-11 of the "Revised Code of the Consolidated City and County, Indiana," a mayoral appointment of the Director of the Department of Parks and Recreation is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Leon Edward Younger to serve as Director of the Department of Parks and Recreation at his pleasure for a term ending December 31, 1994; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Leon Edward Younger is approved and confirmed by the City-County Council to serve as Director of the Department of Parks and Recreation at the pleasure of the Mayor for a term ending December 31, 1994.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 171, 1994 was retitled COUNCIL RESOLUTION NO. 63, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 63, 1994

A COUNCIL RESOLUTION appointing Glenda Smith to the Community Centers of Indianapolis Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:



SECTION 1. As a member of the Community Centers of Indianapolis Board, the Council appoints:

Glenda Smith

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1996. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 229, 1994 was retitled COUNCIL RESOLUTION NO. 64, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 64, 1994

A COUNCIL RESOLUTION appointing Robert A. Stewart to the Metropolitan Board of Zoning Appeals Division III.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Board of Zoning Appeals Division III, the Council appoints:

Robert A. Stewart

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 237, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$137,209 for the Information Services Agency to consolidate City-County government data circuit management under its administration"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 238, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing the execution of an amendment to the City-County Building lease between the Building Authority, the City, and the County"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 239, 1994. Introduced by Councillors O'Dell and Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Revised Code concerning the Office of Youth and Family Services and the Department of Administration"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 240, 199. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the council rules concerning proposals for fiscal ordinances"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 241, 1994. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishing the Parks Project Revenue

Fund as a non-reverting operating fund"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 242, 1994. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE authorizing the issuance and sale of bonds of the City for the purpose of procuring funds to pay for the construction, reconstruction and repair of certain park facilities and appropriating an amount not to exceed \$6,000,000"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 243, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$645,000 for the Sheriff to cover food expense for the jail inmates through the end of the year and to pay for inmate housing at the Riverside Community Corrections facility"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 244, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$8,903 for the Superior Court, Civil Division, Room Four, to pay the National Center for State Courts for a management review of the Family Law Courts in Marion County"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 245, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$58,971 for Community Corrections to provide additional security to supervise an increased number of inmates being housed in the Community Corrections Center"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 246, 1994. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$197,600 for the Court Administrator Agency to purchase up to 38 walk-through metal detectors and up to 38 hand wands for use by those courts and agencies that desire more security"; and the President referred it to the Public Safety and Criminal Justice Committee.

After discussion of the proposed Committee assignment, Councillor McClamroch moved that the Council assign Proposal No. 246, 1994 to Rules and Public Policy Committee. Councillor West seconded. This motion passed by a unanimous voice vote.

PROPOSAL NO. 247, 1994. Introduced by Councillor Shambaugh. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code to include parking restrictions for Race Day of the Brickyard 400 (District 8)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 248, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a traffic signal at Zionsville Road and 74th Street (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 249, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a



multi-way stop at Lafayette Road and 86th Street (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 250, 1994. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Evanston Avenue and 51st Street (District 6)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 251, 1994. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Edgewood Avenue and Harding Street (District 25)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 252, 1994. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Mills Road and Mooresville Road (District 19)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 253, 1994. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at California Street and Vermont Street (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 254, 1994. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing the speed limit for Westwood subdivision (District 18)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 255, 1994. Introduced by Councillor Mullin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing the speed limit on a segment of Hanna Avenue (District 20)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 256, 1994. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing the speed limit on a segment of Harcourt Road (District 3)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 257, 1994. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a one-way restriction for Woodland Drive from Ohio Street to Washington Street (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 258, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a weight limit restriction on 79th Street from Zionsville Road to Moore Road (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 265, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Suellen Hart as "Clerk of the Council"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 266, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code to clarify that an off-track betting facility is a permitted use in the C-4, C-5 and C-7 Commercial Zoning Districts and to add an off-track betting facility as a permitted use in the C-6 Commercial District"; and the President referred it to the Metropolitan Development Committee.

### SPECIAL ORDERS - PUBLIC HEARING

Councillor O'Dell asked for consent to hear Proposal No. 139, 1994 at this time. Consent was given.

PROPOSAL NO. 139, 1994. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 139, 1994 on April 20, 1994. The proposal appropriates \$173,257 for the County Recorder to purchase additional terminals and upgrade computer system. Councillor West stated that the Recorder was in a situation of back-log for the last couple of years. Document imaging of recorded documents should be successful in the Recorder's Office. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:31 p.m. There being no one present to testify, Councillor West moved, seconded by Councillor Beadling, for adoption. Proposal No. 139, 1994 was adopted on the following roll call vote; viz:

*29 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
*0 NAYS:*

Proposal No. 139, 1994 was retitled FISCAL ORDINANCE NO. 12, 1994 and reads as follows:

#### CITY-COUNTY FISCAL ORDINANCE NO. 12, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional One Hundred Seventy-three Thousand Two Hundred Fifty-seven Dollars (\$173,257) in the Recorder's Perpetuation Fund for purposes of the County Recorder and reducing the unappropriated and unencumbered balance in the Recorder's Perpetuation Fund.

#### BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (h) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Recorder to purchase additional terminals and upgrade computer system.

SECTION 2. The sum of One Hundred Seventy-three Thousand Two Hundred Fifty-seven Dollars (\$173,257) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.



SECTION 3. The following additional appropriation is hereby approved:

COUNTY RECORDER

3. Other Services and Charges  
4. Capital Outlay  
TOTAL INCREASE

RECORDER'S PERPETUATION FUND

\$ 2,136  
171,121  
\$173,257

SECTION 4. The said additional appropriations are funded by the following reductions:

Unappropriated and Unencumbered  
Recorder's Perpetuation Fund  
TOTAL REDUCTION

RECORDER'S PERPETUATION FUND

\$173,257  
\$173,257

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 236, 1994. Councillor Borst reported that the Economic Development Committee heard Proposal No. 236, 1994 on April 22, 1994. The proposal authorizes one or more series of economic development revenue bonds in a total aggregate principal amount not to exceed \$1,465,000 for Enterprise Housing - Brookside, Inc. located at 1840 Perkins Avenue (District 21). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Franklin, for adoption. Proposal No. 236, 1994 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

2 NOT VOTING: *Ruhmkorff, SerVaas*

Proposal No. 236, 1994, was retitled SPECIAL ORDINANCE NO. 6, 1994 and is identified as follows:

**CITY-COUNTY SPECIAL ORDINANCE NO. 6, 1994**

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its Economic Development Revenue Bonds, Series 1994A (GNMA Collateralized - Brookside Courts Project) and Taxable Economic Development Revenue Bonds, Series 1994B (GNMA Collateralized - Brookside Courts Project) in the total aggregate principal amount not to exceed One Million Four Hundred Sixty Five Thousand Dollars (\$1,465,000) (collectively, the "Bonds"), and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code Title 36, Article 7, Chapters 11.9 and 12 (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, the Act provides that an issuer may, pursuant to the Act, issue revenue bonds and lend the proceeds thereof to a corporation, partnership or individual for the purpose of financing costs of acquisition or construction of facilities, including real and personal property, for diversification of economic development and promotion of job opportunities in or near such issuer; and

WHEREAS, the Act provides that such bonds may be secured by a trust indenture between an issuer and a corporate trustee; and

WHEREAS, a representative of Enterprise Housing - Brookside, Inc., an Indiana Not-for-Profit Corporation (the "Company") has requested that the City of Indianapolis, Indiana (the "Issuer") issue bonds and lend the proceeds thereof to the Company in order to enable the Company to acquire and renovate the existing 140 unit

*April 25, 1994*

multifamily residential rental project known as Brookside Courts Apartments located at 1840 Perkins Avenue, Indianapolis, Indiana on approximately 3 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, renovation, construction and installation of various site improvements at the facility (the "Project"); and

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for the Company and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, pursuant to and in accordance with the Act, the Issuer desires to provide funds to finance the acquisition and renovation of the Project by issuing its Economic Development Revenue Bonds, Series 1994A (GNMA Collateralized - Brookside Courts Project) and Taxable Economic Development Revenue Bonds, Series 1994B (GNMA Collateralized - Brookside Courts Project), in the total aggregate principal amount not to exceed One Million Four Hundred Sixty Five Thousand Dollars (\$1,465,000) (collectively, the "Bonds"); and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on April 19, 1994 pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24 and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of the Project which will be initially owned by the Company complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the Issuer and its citizens; and

WHEREAS, the Issuer intends to issue the Bonds pursuant to a Trust Indenture (the "Indenture") dated as of April 1, 1994 by and between the Issuer, and The Fifth Third Bank of Central Indiana (the "Trustee") in order to obtain funds to lend to the Company pursuant to a Financing Agreement (the "Financing Agreement") dated as of April 1, 1994, between the Issuer and the Company for the purpose of financing or providing reimbursement for the cost of the Project and to pay a portion of the costs of issuance of the Bonds; and

WHEREAS, the Financing Agreement provides for the repayment by the Company of the loan of the proceeds of the Bonds pursuant to which the Company will agree to make payments sufficient to pay the principal and interest on the Bonds as the same become due and payable and to pay administrative expenses in connection with the Bonds; and

WHEREAS, the Issuer, Trustee and Company will enter into a Land Use Restriction Agreement (the "Land Use Restriction Agreement") dated as of April 1, 1994 in order to assure the Issuer and the owners of the Bonds that interest on the Series A Bonds will be excluded from gross income for federal income tax purposes under Section 103 of the Code, to satisfy the public purposes for which the Bonds are authorized to be issued under the Act, and to satisfy the purposes of the Issuer in determining to issue the Bonds that certain limits on the occupancy of units in the Project need to be established and certain other requirements need to be met; and

WHEREAS, the financing will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating in the same market area or in or about Marion County, Indiana; and

WHEREAS, the Indianapolis Economic Development Commission has approved the substantially final forms of the Financing Agreement, Indenture, Land Use Restriction Agreement, Bond Purchase Agreement, Preliminary Official Statement, the form of the Bonds (hereinafter referred to collectively as the "Financing Documents") and this proposed form of special ordinance by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, the loan of the net proceeds thereof to the Company for the purposes of financing or providing reimbursement for a portion of the cost of the Project, and the repayment of said loan by the Company will be of benefit to the health or general welfare of the Issuer and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents presented herewith are hereby approved and all such documents shall be kept on file by the Clerk of the Council or City-Controller. In compliance with Indiana Code



Title 36, Article 1, Chapter 5, Section 4, two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Issuer shall issue its Bonds in the total aggregate principal amount not to exceed One Million Four Hundred Sixty Five Thousand Dollars (\$1,465,000) for the purpose of procuring funds to loan to the Company in order to finance or provide reimbursement for a portion of the cost of the Project which Bonds will be payable as to principal and interest solely from the payments made by the Company pursuant to the Financing Agreement to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

SECTION 4. Rule 15c2-12(b)(1) of the Securities Exchange Act of 1934, as amended (the "SEC Rule"), provides that, prior to the time a participating underwriter bids for, purchases, offers or sells municipal securities, the participating underwriter shall obtain and review an official statement that an issuer of such securities deems a "near final" official statement. The Preliminary Official Statement is hereby deemed final as of its date, except for the omission of no more than the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, ratings and other terms of the securities depending on such matters. The Mayor, the City Clerk or any other officer of the Issuer familiar with the matters with respect to the Issuer set forth in the Preliminary Official Statement and is hereby authorized to certify to The Sturges Company (the "Underwriter") that the information in the Preliminary Official Statement with respect to the Issuer is deemed to be final within the meaning of the SEC Rule prior to the distribution of the Preliminary Official Statement.

SECTION 5. The City Clerk and City Controller are authorized and directed to sell such Bonds to the Underwriter at a price not less than 95% of the aggregate principal amount thereof, plus accrued interest, if any, and at a stated per annum rate of interest not to exceed 7.5%. The use of a Final Official Statement in substantially the same form as the Preliminary Official Statement approved herein is approved for use and distribution by the Underwriter and its agents in connection with the marketing of the Bonds.

SECTION 6. The Mayor and City Clerk are authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and City Clerk and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be facsimile signatures. The City Clerk and City Controller are authorized to arrange for the delivery of such Bonds to the purchaser, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 7. The provisions of this special ordinance and the Financing Documents shall constitute a contract binding between the Issuer and the holder or holders of the Bonds and after the issuance of said Bonds, this special ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 8. This special ordinance shall be in full force and effect upon adoption and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14.

PROPOSAL NO. 267, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on April 22, 1994." The Council did not schedule Proposal No. 267, 1994 for hearing pursuant to IC 36-7-4-608. Proposal No. 267, 1994 were retitled REZONING ORDINANCE NO. 44, 1994 and are identified as follows:

REZONING ORDINANCE NO. 44, 1993. 94-Z-55 LAWRENCE TOWNSHIP  
COUNCILMANIC DISTRICT # 4.

7005 SARGENT ROAD (approximate address), INDIANAPOLIS.

DAVID R. and DEBORAH A. WILLS request the rezoning of 10.232 acres, being in the SU-34, D-S and SU-16 Districts, to the SU-34 classification to provide for a swim club.

April 25, 1994

PROPOSAL NOS. 268-274, 1994. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on April 22, 1994." The Council did not schedule Proposal Nos. 268-274, 1994 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 268-274, 1994 were retitled REZONING ORDINANCE NOS. 45-51, 1994 and are identified as follows:

REZONING ORDINANCE NO. 45, 1994. 94-Z-9 WARREN TOWNSHIP.  
COUNCILMANIC DISTRICT # 13.  
5401 SOUTHEASTERN AVENUE (approximate address), INDIANAPOLIS.  
THOMAS E. MULLEN, by Philip A. Nicely, requests the rezoning of 79.783 acres, being in the D-2 and D-A District, to the D-4 classification to provide for single-family residential development.

REZONING ORDINANCE NO. 46, 1994. 94-Z-34 (94-DP-1) PIKE TOWNSHIP.  
COUNCILMANIC DISTRICT # 1.  
5933 LAFAYETTE ROAD (approximate address), INDIANAPOLIS.  
DAVIS DEVELOPMENT, L.P., by Michael D. Keele, requests the rezoning of 34.028 acres, being in the D-P AND D-6II Districts, to the D-P classification to provide for single-family residential development with a maximum density of 3.7 dwellings per acre, not to exceed 125 lots.

REZONING ORDINANCE NO. 47, 1994. 94-Z-40 WARREN TOWNSHIP.  
COUNCILMANIC DISTRICT # 12.  
7604 EAST 10TH STREET (approximate address), INDIANAPOLIS.  
WAYNE A. SMITH (WARREN TOWNSHIP FIRE DEPARTMENT) requests the rezoning of 1.42 acres, being in the D-A District, to the SU-9 classification to conform zoning to the existing use.

REZONING ORDINANCE NO. 48, 1994. 94-Z-41 PIKE TOWNSHIP.  
COUNCILMANIC DISTRICT # 1.  
7108 COFFMAN ROAD (approximate address), INDIANAPOLIS.  
MIDWEST BAPTIST CONFERENCE, by Robert L. Trierweiler, requests the rezoning of 0.50 acre, being in the D-3 District, to the SU-1 classification to provide for a church use.

REZONING ORDINANCE NO. 49, 1994. 94-Z-48 WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 17.  
4152 WEST WASHINGTON STREET (approximate address), INDIANAPOLIS.  
DREYER HONDA/YAMAHA/SUZUKI request the rezoning of 0.888 acre, being in the D-5 District, to the C-7 classification to provide for the storage of motorcycles.

REZONING ORDINANCE NO. 50, 1994. 94-Z-49 LAWRENCE TOWNSHIP.  
COUNCILMANIC DISTRICT # 4.  
8131 CRAIG STREET (approximate address), INDIANAPOLIS.  
DARYL E. DEIG, by Stephen D. Mears, requests the rezoning of 1.15 acres, being in the C-S District, to the C-5 classification to provide for commercial development, including a transmission shop and automobile rental.

REZONING ORDINANCE NO. 51, 1994. 94-Z-50 PERRY TOWNSHIP.  
COUNCILMANIC DISTRICT # 20.  
7151 SOUTH MADISON AVENUE (approximate address), INDIANAPOLIS.  
ROBIN M. THOMAN requests the rezoning of 0.75 acre, being in the D-4 District, to the C-3 classification to provide for commercial development.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 26, 1994. The proposal sponsored by Councillor Franklin, appropriates \$8,413 for the Superior Court, Criminal Division, Room Five, to fund an additional clerk's position. Councillor Dowden asked for consent to postpone Proposal No. 26, 1994 until May 9, 1994. Consent was given.

PROPOSAL NO. 153, 1994. The proposal appropriates \$98,296 for the Superior Court, Juvenile Division/Detention Center, to pay the first year of a three year lease/purchase



arrangement with the Indiana Bond Bank for a computer upgrade. Councillor Dowden asked for consent to table Proposal No. 26, 1994. Consent was given.

PROPOSAL NO. 154, 1994. The proposal appropriates \$24,091 for the Superior Court, Juvenile Division/Detention Center, to cover service charges on computers and to purchase one modem for the court. Councillor Dowden asked for consent to table Proposal No. 26, 1994. Consent was given.

PROPOSAL NO. 200, 1994. The proposal appropriates \$3,850,509 for the Marion County Office of Family and Children to pay the expenses of wards in institutions. Councillor Dowden asked for consent to postpone Proposal No. 26, 1994 until May 23, 1994. Consent was given.

PROPOSAL NO. 201, 1994. Councillor Giffin reported that the Parks and Recreation Committee heard Proposal No. 201, 1994 on April 21, 1994. The proposal appropriates \$190,000 for the Department of Parks and Recreation, Natural Resources Division, to cover the charges to repair roofs on thirteen buildings at several park locations. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:55 p.m. There being no one present to testify, Councillor Giffin moved, seconded by Councillor O'Dell, for adoption. Proposal No. 201, 1994 was adopted on the following roll call vote; viz:

*29 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
*0 NAYS:*

Proposal No. 201, 1994 was retitled FISCAL ORDINANCE NO. 13, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 13, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional One Hundred Ninety Thousand Dollars (\$190,000) in the Consolidated County Cumulative Capital Development Fund for purposes of the Department of Parks and Recreation, Natural Resources Division, and reducing the unappropriated and unencumbered balance in the Consolidated County Cumulative Capital Development Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation, Natural Resources Division, to cover the charges to repair roofs on thirteen buildings at several different park locations.

SECTION 2. The sum of One Hundred Ninety Thousand Dollars (\$190,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

April 25, 1994

DEPARTMENT OF PARKS AND RECREATION  
NATURAL RESOURCES DIVISION

CONSOLIDATED COUNTY CUMULATIVE  
CAPITAL DEVELOPMENT FUND

4. Capital Outlay  
TOTAL INCREASE

\$190,000  
\$190,000

SECTION 4. The said additional appropriation is funded by the following reductions:

CONSOLIDATED COUNTY CUMULATIVE  
CAPITAL DEVELOPMENT FUND

Unappropriated and Unencumbered  
Consolidated County Cumulative Capital Development Fund  
TOTAL REDUCTION

\$190,000  
\$190,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 215, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 215, 1994 on April 13, 1994. The proposal appropriates \$1,587,374 for the Department of Public Safety, Police Division, to complete its capital projects. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:58 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor O'Dell, for adoption. Proposal No. 215, 1994 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

2 NOT VOTING: *Giffin, Jimison*

Proposal No. 215, 1994 was retitled FISCAL ORDINANCE NO. 14, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 14, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional One Million Five Hundred Eighty-seven Thousand Three Hundred Seventy-four Dollars (\$1,587,374) in the City Cumulative Capital Development Fund for purposes of the Department of Public Safety, Police Division, and reducing the unappropriated and unencumbered balance in the City Cumulative Capital Development Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division, to complete its capital projects.

SECTION 2. The sum of One Million Five Hundred Eighty-seven Thousand Three Hundred Seventy-four Dollars (\$1,587,374) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC SAFETY  
POLICE DIVISION

CITY CUMULATIVE  
CAPITAL DEVELOPMENT FUND

4. Capital Outlay  
TOTAL INCREASE

\$1,587,374  
\$1,587,374



SECTION 4. The said additional appropriation is funded by the following reductions:

	CITY CUMULATIVE CAPITAL DEVELOPMENT FUND
Unappropriated and Unencumbered	
City Cumulative Capital Development Fund	<u>\$1,587,374</u>
TOTAL REDUCTION	<u>\$1,587,374</u>

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Michael Stayton, Director, Department of Public Works (DPW), and Greg Henneke, Director, Department of Capital Assets Management (DCAM), gave a presentation on the DPW and DCAM proposals.

PROPOSAL NOS. 203, 204, 205, 206, 207, 208, 209, 210 and 211, 1994. Councillor Coughenour asked for consent to vote on these nine proposals together. Consent was given. PROPOSAL NO. 203, 1994. The proposal approves reductions in proposed expenditures since the adoption of the 1994 City-County Annual Budget for the Department of Public Works, Wastewater Management Division, in the amount of \$1,092,579. PROPOSAL NO. 204, 1994. The proposal transfers and appropriates \$109,541 for the Department of Public Works (DPW), Wastewater Management Division, to cover certain administrative staff positions, supplies and contractual services from DPW, Maintenance Operations Division. PROPOSAL NO. 205, 1994. The proposal appropriates \$192,932 for the Department of Public Works, Maintenance Operations Division, to cover sewer maintenance supplies budgeted in 1993 but not utilized due to year-end closing. PROPOSAL NO. 206, 1994. The proposal appropriates \$53,792 for the Department of Public Works, Maintenance Operations Division, to reflect funds not transferred to the Opportunity Fund during the 1994 budget hearing process. PROPOSAL NO. 207, 1994. The proposal appropriates \$1,000 for the Department of Public Works, Maintenance Operations Division, to restore a portion of Maintenance Operations General Fund not transferred to Opportunity Fund during 1994 budget hearing process. PROPOSAL NO. 208, 1994. This proposal appropriates \$79,950 for the Department of Public Works, Maintenance Operations Division, to reflect funds not transferred to the Opportunity Fund during 1994 budget hearing process. PROPOSAL NO. 209, 1994. This proposal transfers and appropriates \$40,000 for the Department of Public Works, Environmental Resources Management Division, to pay its portion of administrative overhead. PROPOSAL NO. 210, 1994. This proposal transfers and appropriates \$92,075 for the Department of Public Works, Environmental Resources Management Division, to provide for additional contractual support for environmental sampling and effluent monitoring. PROPOSAL NO. 211, 1994. This proposal transfers and appropriates \$4,277,471 for the Department of Public Works, Wastewater Management Division, and reducing appropriations by \$14,443,571 for that division to reflect in its budget the White River Environmental Partnership contract management of the Advanced Wastewater Treatment plants. Councillor Coughenour reported that the Public Works and Capital Asset Management Committees heard Proposal Nos. 203, 204, 205, 206, 207, 208, 209, 210 and 211, 1994 on April 14, 1994. By a 9-0 vote, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 9:15 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Gilmer, for adoption. Proposal Nos.

April 25, 1994

203, 204, 205, 206, 207, 208, 209, 210 and 211, 1994, were adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Giffin*

Proposal No. 203, 1994 was retitled FISCAL ORDINANCE NO. 15, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 15, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) by reducing appropriations by One Million Ninety-two Thousand Five Hundred Seventy-nine Dollars (\$1,092,579) in the Sanitation General Fund for the Department of Public Works, Wastewater Management Division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To reflect reductions in proposed expenditures since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1994, be and is hereby amended by the reductions hereinafter stated for the Department of Public Works, Wastewater Management Division.

SECTION 2. The following appropriation is hereby reduced:

<u>DEPARTMENT OF PUBLIC WORKS</u> <u>WASTEWATER MANAGEMENT DIVISION</u>	<u>SANITATION GENERAL FUND</u>
1. Personal Services	\$421,104
2. Supplies	18,415
3. Other Services and Charges	634,560
4. Capital Outlay	<u>18,500</u>
TOTAL REDUCTION	\$1,092,579

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 204, 1994 was retitled FISCAL ORDINANCE NO. 16, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 16, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional One Hundred Nine Thousand Five Hundred Forty-one Dollars (\$109,541) in the Maintenance Operations General Fund for purposes of the Department of Public Works, Maintenance Operations Division, and reducing certain other appropriations in the Sanitation General Fund for the Department of Public Works, Wastewater Management Division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes to transfer certain administrative staff positions, supplies and contractual services from Maintenance Operations Division to Wastewater Management Division.

SECTION 2. The sum of One Hundred Nine Thousand Five Hundred Forty-one Dollars (\$109,541) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.



SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u> <u>MAINTENANCE OPERATIONS DIVISION</u>		<u>MAINTENANCE OPERATIONS GENERAL FUND</u>
1. Personal Services		\$ 98,941
2. Supplies		6,500
3. Other Services and Charges		<u>4,100</u>
TOTAL INCREASE		\$109,541

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>DEPARTMENT OF PUBLIC WORKS</u> <u>WASTEWATER MANAGEMENT DIVISION</u>		<u>SANITATION GENERAL FUND</u>
1. Personal Services		\$ 98,941
2. Supplies		6,500
3. Other Services and Charges		<u>4,100</u>
TOTAL REDUCTION		\$109,541

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 205, 1994 was retitled FISCAL ORDINANCE NO. 17, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 17, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional One Hundred Ninety-two Thousand Nine Hundred Thirty-two Dollars (\$192,932) in the City Cumulative Capital Development Fund for purposes of the Department of Public Works, Maintenance Operations Division, and reducing the unappropriated and unencumbered balance in the City Cumulative Capital Development Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works, Maintenance Operations Division, to cover sewer maintenance supplies budgeted in 1993 but not utilized due to year-end closing

SECTION 2. The sum of One Hundred Ninety-two Thousand Nine Hundred Thirty-two Dollars (\$192,932) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u> <u>MAINTENANCE OPERATIONS DIVISION</u>		<u>CITY CUMULATIVE</u> <u>CAPITAL DEVELOPMENT FUND</u>
2. Supplies		<u>\$192,932</u>
TOTAL INCREASE		\$192,932

SECTION 4. The said additional appropriation is funded by the following reductions:

		<u>CITY CUMULATIVE</u> <u>CAPITAL DEVELOPMENT FUND</u>
Unappropriated and Unencumbered		
City Cumulative Capital Development Fund		<u>\$192,932</u>
TOTAL REDUCTION		\$192,932

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

April 25, 1994

Proposal No. 206, 1994 was retitled FISCAL ORDINANCE NO. 18, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 18, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Fifty-three Thousand Seven Hundred Ninety-two Dollars (\$53,792) in the Maintenance Operations General Fund for purposes of the Department of Public Works, Maintenance Operations Division, and reducing the unappropriated and unencumbered balance in the Maintenance Operations General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Department of Public Works, Maintenance Operations Division, to reflect funds not transferred to the Opportunity Fund during the 1994 budget hearing process.

SECTION 2. The sum of Fifty-three Thousand Seven Hundred Ninety-two Dollars (\$53,792) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u> <u>MAINTENANCE OPERATIONS DIVISION</u>	<u>MAINTENANCE OPERATIONS GENERAL FUND</u>
3. Other Services and Charges	\$53,792
TOTAL INCREASE	\$53,792

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>MAINTENANCE OPERATIONS GENERAL FUND</u>
Unappropriated and Unencumbered	
Maintenance Operations General Fund	\$53,792
TOTAL REDUCTION	\$53,792

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 207, 1994 was retitled FISCAL ORDINANCE NO. 19, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 19, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional One Thousand Dollars (\$1,000) in the Maintenance Operations General Fund for purposes of the Department of Public Works, Maintenance Operations Division, and reducing the unappropriated and unencumbered balance in the Maintenance Operations General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Department of Public Works, Maintenance Operations Division, to restore a portion of Maintenance Operations General Fund not transferred to Opportunity Fund during 1994 budget hearing process.

SECTION 2. The sum of One Thousand Dollars (\$1,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:



DEPARTMENT OF PUBLIC WORKS  
MAINTENANCE OPERATIONS DIVISION  
3. Other Services and Charges  
TOTAL INCREASE

MAINTENANCE OPERATIONS GENERAL FUND  
\$1,000  
\$1,000

SECTION 4. The said additional appropriation is funded by the following reductions:

MAINTENANCE OPERATIONS GENERAL FUND  
Unappropriated and Unencumbered  
Maintenance Operations General Fund  
TOTAL REDUCTION

\$1,000  
\$1,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 208, 1994 was retitled FISCAL ORDINANCE NO. 20, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 20, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Seventy-nine Thousand Nine Hundred Fifty Dollars (\$79,950) in the Maintenance Operations General Fund for purposes of the Department of Public Works, Maintenance Operations Division, and reducing the unappropriated and unencumbered balance in the Maintenance Operations General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Department of Public Works, Maintenance Operations Division, to reflect funds not transferred to the Opportunity Fund during the 1994 budget hearing process.

SECTION 2. The sum of Seventy-nine Thousand Nine Hundred Fifty Dollars (\$79,950) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC WORKS  
MAINTENANCE OPERATIONS DIVISION  
3. Other Services and Charges  
TOTAL INCREASE

MAINTENANCE OPERATIONS GENERAL FUND  
\$79,950  
\$79,950

SECTION 4. The said additional appropriation is funded by the following reductions:

MAINTENANCE OPERATIONS GENERAL FUND  
Unappropriated and Unencumbered  
Maintenance Operations General Fund  
TOTAL REDUCTION

\$79,950  
\$79,950

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 209, 1994 was retitled FISCAL ORDINANCE NO. 21, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 21, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Forty Thousand Dollars (\$40,000) in the Air Pollution

April 25, 1994

Control Fund for purposes of the Department of Public Works, Environmental Resources Management Division, and reducing certain other appropriations for that division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Department of Public Works, Environmental Resources Management Division, to pay its 1994 portion of administrative overhead.

SECTION 2. The sum of Forty Thousand Dollars (\$40,000) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

DEPARTMENT OF PUBLIC WORKS	
<u>ENVIRONMENTAL RESOURCES MANAGEMENT DIVISION</u>	<u>AIR POLLUTION CONTROL FUND</u>
3. Other Services and Charges	\$40,000
TOTAL INCREASE	\$40,000

SECTION 4. The said increased appropriation is funded by the following reductions:

DEPARTMENT OF PUBLIC WORKS	
<u>ENVIRONMENTAL RESOURCES MANAGEMENT DIVISION</u>	<u>AIR POLLUTION CONTROL FUND</u>
1. Personal Services	\$40,000
TOTAL REDUCTION	\$40,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 210, 1994 was retitled FISCAL ORDINANCE NO. 22, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 22, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Ninety-two Thousand Seventy-five Dollars (\$92,075) in the Sanitation General Fund for purposes of the Department of Public Works, Environmental Resources Management Division, and reducing certain other appropriations for that division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works, Environmental Resources Management Division, to provide for additional contractual support for environmental sampling and effluent monitoring.

SECTION 2. The sum of Ninety-two Thousand Seventy-five Dollars (\$92,075) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

DEPARTMENT OF PUBLIC WORKS	
<u>ENVIRONMENTAL RESOURCES MANAGEMENT DIVISION</u>	<u>SANITATION GENERAL FUND</u>
3. Other Services and Charges	\$92,075
TOTAL INCREASE	\$92,075

SECTION 4. The said increased appropriation is funded by the following reductions:



DEPARTMENT OF PUBLIC WORKS

ENVIRONMENTAL RESOURCES MANAGEMENT DIVISION

SANITATION GENERAL FUND

1. Personal Services	\$42,460
2. Supplies	29,615
4. Capital Outlay	<u>20,000</u>
TOTAL REDUCTION	\$92,075

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 211, 1994 was retitled FISCAL ORDINANCE NO. 23, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 23, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Four Million Two Hundred Seventy-seven Thousand Four Hundred Seventy-one Dollars (\$4,277,471) in the Sanitation General Fund for purposes of the Department of Public Works, Wastewater Management Division, and reducing appropriations by Fourteen Million Four Hundred Forty-three Thousand Five Hundred Seventy-one Dollars (\$14,443,571) for that division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for the Department of Public Works, Wastewater Management Division, to reflect in its budget the White River Environmental Partnership contract management of the Advanced Wastewater Treatment plants.

SECTION 2. The sum of Four Million Two Hundred Seventy-seven Thousand Four Hundred Seventy-one Dollars (\$4,277,471) and the same is hereby transferred for the purposes as shown in Section 3 by reducing appropriations by Fourteen Million Four Hundred Forty-three Thousand Five Hundred Seventy-one Dollars (\$14,443,571) as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

DEPARTMENT OF PUBLIC WORKS

WASTEWATER MANAGEMENT DIVISION

SANITATION GENERAL FUND

3. Other Services and Charges	\$4,277,471
TOTAL INCREASE	\$4,277,471

SECTION 4. The said increased appropriation is funded by the following reductions:

DEPARTMENT OF PUBLIC WORKS

WASTEWATER MANAGEMENT DIVISION

SANITATION GENERAL FUND

1. Personal Services	\$ 9,684,322
2. Supplies	4,248,355
4. Capital Outlay	<u>510,894</u>
TOTAL REDUCTION	\$14,443,571

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 212, 213, 216, 217, 218, 219, 220, 221 and 222, 1994. Councillor Gilmer asked for consent to vote on these nine proposals together. Consent was given. PROPOSAL NO. 212, 1994. This proposal approves reductions in proposed expenditures since the adoption of the 1994 City-County Annual Budget for the Department of Public Works, Solid Waste Management Division, in the amount of \$1,555,000. PROPOSAL NO. 213, 1994. This proposal approves reductions in proposed expenditures since the adoption of the 1994 City-County Annual Budget for the Department of Public Works, Solid Waste Management

April 25, 1994

Division, in the amount of \$1,136,055. PROPOSAL NO. 216, 1994. This proposal transfers and appropriates \$200,000 for the Department of Capital Asset Management, Asset Management Division, to provide for greater contractual sewer maintenance. PROPOSAL NO. 217, 1994. This proposal appropriates \$7,000,000 for the Department of Capital Asset Management, Asset Management Division, to provide for capital improvements to Advanced Wastewater Treatment plants and for sewer and drainage improvements to support the Capital Improvement Program. PROPOSAL NO. 218, 1994. This proposal appropriates \$1,092,579 for the Department of Capital Asset Management, Asset Management Division, to reflect in its budget the Sewer Wastewater Management Facilities Engineering operating budget and \$250,000 for emergency sewer repair. PROPOSAL NO. 219, 1994. This proposal approves reductions in proposed expenditures from the Flood Control General Fund for the Department of Capital Asset Management, Asset Management Division, in the amount of \$1,000. PROPOSAL NO. 220, 1994. This proposal approves reductions in proposed expenditures from the Transportation General Fund for the Department of Capital Asset Management, Asset Management Division, in the amount of \$53,792. PROPOSAL NO. 221, 1994. This proposal approves reductions in proposed expenditures from the Sanitation General Fund for the Department of Capital Asset Management, Asset Management Division, in the amount of \$79,950. PROPOSAL NO. 222, 1994. This proposal appropriates \$1,555,000 for the Department of Capital Asset Management, Asset Management Division, to establish a lagoon cleaning project. Councillor Gilmer reported that the Public Works and Capital Asset Management Committees heard Proposal Nos. 212, 213, 216, 217, 218, 219, 220, 221 and 222, 1994. on April 14, 1994. By a 9-0 vote, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 9:16 p.m. There being no one present to testify, Councillor Gilmer moved, seconded by Councillor Coughenour, for adoption. Proposal Nos. 212, 213, 216, 217, 218, 219, 220, 221 and 222, 1994, were adopted on the following roll call vote; viz:

*27 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

*0 NAYS:*

*2 NOT VOTING: Giffin, Golc*

Proposal No. 212, 1994 was retitled FISCAL ORDINANCE NO. 24, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 24, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) by reducing appropriations by One Million Five Hundred Fifty-five Thousand Dollars (\$1,555,000) in the Solid Waste Disposal Fund for the Department of Public Works, Solid Waste Management Division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To reflect reductions in proposed expenditures since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1994, be and is hereby amended by the reductions hereinafter stated for the Department of Public Works, Solid Waste Management Division.

SECTION 2. The following appropriation is hereby reduced:



DEPARTMENT OF PUBLIC WORKS  
SOLID WASTE MANAGEMENT DIVISION  
3. Other Services and Charges  
TOTAL REDUCTION

SOLID WASTE DISPOSAL FUND  
\$1,555,000  
\$1,555,000

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 213, 1994 was retitled FISCAL ORDINANCE NO. 25, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 25, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) by reducing appropriations by One Million One Hundred Thirty-six Thousand Fifty-five Dollars (\$1,136,055) in the Solid Waste Disposal Fund for the Department of Public Works, Solid Waste Management Division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To reflect reductions in proposed expenditures since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1994, be and is hereby amended by the reductions hereinafter stated for the Department of Public Works, Solid Waste Management Division.

SECTION 2. The following appropriation is hereby reduced:

DEPARTMENT OF PUBLIC WORKS  
SOLID WASTE MANAGEMENT DIVISION  
3. Other Services and Charges  
TOTAL REDUCTION

SOLID WASTE DISPOSAL FUND  
\$1,136,055  
\$1,136,055

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 216, 1994 was retitled FISCAL ORDINANCE NO. 26, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 26, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Two Hundred Thousand Dollars (\$200,000) in the City Cumulative Capital Development Fund for purposes of the Department of Capital Asset Management, Asset Management Division, and reducing certain other appropriations for that division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Capital Asset Management, Asset Management Division, to provide for greater contractual sewer maintenance.

SECTION 2. The sum of Two Hundred Thousand Dollars (\$200,000) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

DEPARTMENT OF CAPITAL ASSET MANAGEMENT  
ASSET MANAGEMENT DIVISION  
3. Other Services and Charges  
TOTAL INCREASE

CITY CUMULATIVE  
CAPITAL DEVELOPMENT FUND  
\$200,000  
\$200,000

April 25, 1994

SECTION 4. The said increased appropriation is funded by the following reductions:

DEPARTMENT OF CAPITAL ASSET MANAGEMENT	CITY CUMULATIVE
<u>ASSET MANAGEMENT DIVISION</u>	<u>CAPITAL DEVELOPMENT FUND</u>
2. Supplies	\$200,000
TOTAL REDUCTION	\$200,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 217, 1994 was retitled FISCAL ORDINANCE NO. 27, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 27, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Seven Million Dollars (\$7,000,000) in the Sanitation General Fund for purposes of the Department of Capital Asset Management, Asset Management Division, and reducing the unappropriated and unencumbered balance in the Sanitation General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Capital Asset Management, Asset Management Division, to provide for capital improvements to Advanced Wastewater Treatment plants and for sewer and drainage improvements to support the Capital Improvement Program.

SECTION 2. The sum of Seven Million Dollars (\$7,000,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF CAPITAL ASSET MANAGEMENT	SANITATION GENERAL FUND
<u>ASSET MANAGEMENT DIVISION</u>	
3. Other Services and Charges	\$7,000,000
TOTAL INCREASE	\$7,000,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>SANITATION GENERAL FUND</u>
Unappropriated and Unencumbered	
Sanitation General Fund	\$7,000,000
TOTAL REDUCTION	\$7,000,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 218, 1994 was retitled FISCAL ORDINANCE NO. 28, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 28, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional One Million Ninety-two Thousand Five Hundred Seventy-nine Dollars (\$1,092,579) in the Sanitation General Fund for purposes of the Department of Capital Asset Management, Asset Management Division, and reducing the unappropriated and unencumbered balance in the Sanitation General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:



SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for the Department of Capital Asset Management, Asset Management Division, which is the Sewer Waste Water Management Facilities Engineering operating budget and Two Hundred Fifty Thousand Dollars (\$250,000) for emergency sewer repair.

SECTION 2. The sum of One Million Ninety-two Thousand Five Hundred Seventy-nine Dollars (\$1,092,579) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u> <u>ASSET MANAGEMENT DIVISION</u>	<u>SANITATION GENERAL FUND</u>
1. Personal Services	\$421,104
2. Supplies	18,415
3. Other Services and Charges	634,560
4. Capital Outlay	18,500
TOTAL INCREASE	\$1,092,579

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>SANITATION GENERAL FUND</u>
Unappropriated and Unencumbered	
Sanitation General Fund	\$1,092,579
TOTAL REDUCTION	\$1,092,579

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 219, 1994 was retitled FISCAL ORDINANCE NO. 29, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 29, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) by reducing appropriations by One Thousand Dollars (\$1,000) in the Flood Control General Fund for the Department of Capital Asset Management, Asset Management Division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To reflect reductions in proposed expenditures since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1994, be and is hereby amended by the reductions hereinafter stated for the Department of Capital Asset Management, Asset Management Division.

SECTION 2. The following appropriation is hereby reduced:

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u> <u>ASSET MANAGEMENT DIVISION</u>	<u>FLOOD CONTROL GENERAL FUND</u>
3. Other Services and Charges	\$1,000
TOTAL REDUCTION	\$1,000

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 220, 1994 was retitled FISCAL ORDINANCE NO. 30, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 30, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) by reducing appropriations by Fifty-three Thousand Seven Hundred Ninety-two Dollars (\$53,792)

April 25, 1994

in the Transportation General Fund for the Department of Capital Asset Management, Asset Management Division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To reflect reductions in proposed expenditures since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1994, be and is hereby amended by the reductions hereinafter stated for the Department of Capital Asset Management, Asset Management Division.

SECTION 2. The following appropriation is hereby reduced:

DEPARTMENT OF CAPITAL ASSET MANAGEMENT	
<u>ASSET MANAGEMENT DIVISION</u>	<u>TRANSPORTATION GENERAL FUND</u>
3. Other Services and Charges	\$53,792
TOTAL REDUCTION	\$53,792

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 221, 1994 was retitled FISCAL ORDINANCE NO. 31, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 31, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) by reducing appropriations by Seventy-nine Thousand Nine Hundred Fifty Dollars (\$79,950) in the Sanitation General Fund for the Department of Capital Asset Management, Asset Management Division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To reflect reductions in proposed expenditures since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1994, be and is hereby amended by the reductions hereinafter stated for the Department of Capital Asset Management, Asset Management Division.

SECTION 2. The following appropriation is hereby reduced:

DEPARTMENT OF CAPITAL ASSET MANAGEMENT	
<u>ASSET MANAGEMENT DIVISION</u>	<u>SANITATION GENERAL FUND</u>
3. Other Services and Charges	\$79,950
TOTAL REDUCTION	\$79,950

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 222, 1994 was retitled FISCAL ORDINANCE NO. 32, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 32, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional One Million Five Hundred Fifty-five Dollars (\$1,555,000) in the Solid Waste Disposal Fund for purposes of the Department of Capital Asset Management, Asset Management Division, and reducing the unappropriated and unencumbered balance in the Solid Waste Disposal Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Department of Capital Asset Management, Asset Management Division, to establish a lagoon cleaning project.



SECTION 2. The sum of One Million Five Hundred Fifty-five Dollars (\$1,555,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF CAPITAL ASSET MANAGEMENT

ASSET MANAGEMENT DIVISION

3. Other Services and Charges

TOTAL INCREASE

SOLID WASTE DISPOSAL FUND

\$1,555,000

\$1,555,000

SECTION 4. The said additional appropriation is funded by the following reduction:

SOLID WASTE DISPOSAL FUND

Unappropriated and Unencumbered

Solid Waste Disposal Fund

TOTAL REDUCTION

\$1,555,000

\$1,555,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NOS. 194, 195, 196, 197 and 198, 1994. Councillor West asked for consent to vote on these proposals together. Consent was given. Councillor West reported that the Metropolitan Development Committee heard Proposal Nos. 194, 195, 196, 197, and 198, 1994 on April 20, 1994. PROPOSAL NO. 194, 1994. The proposal, sponsored by Councillor McClamroch, repeals the Central Business District, Special Development District Ordinance and amending the Central Business District Zoning Ordinance by adding the language of the repealed ordinance. PROPOSAL NO. 195, 1994. This proposal sponsored by Councillor McClamroch, combines the Airport Special Use Zoning Ordinance and the Airspace District Zoning Ordinance to create the Airport Zoning Ordinance. PROPOSAL NO. 196, 1994. This proposal sponsored by Councillor McClamroch, combines the Park Districts Zoning Ordinance, the Hospital Districts Zoning Ordinance, and the University Quarter Zoning Ordinance to create the Special Districts Zoning Ordinance. PROPOSAL NO. 197, 1994. This proposal sponsored by Councillor McClamroch, amends the Special Use Districts Zoning Ordinance by repealing twenty unused or redundant Special Use Districts and providing development standard guidelines for administrative approval for the remaining districts. PROPOSAL NO. 198, 1994. This proposal sponsored by Councillor McClamroch, repeals the Regional Center-Market Square Development District (RC-M) Ordinance and rezoning land within the former RC-M District to the Central Business Districts-1 and -2 (CBD-1 and CBD-2) classifications. By a 5-0 vote, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor West moved, seconded by Councillor Beadling, for adoption. Proposal Nos. 194, 195, 196, 197, and 198, 1994 were adopted on the following roll call vote; viz:

*26 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, West, Williams*

*0 NAYS:*

*3 NOT VOTING: Giffin, Golc, Smith*

Proposal No. 194, 1994 was retitled GENERAL ORDINANCE NO. 57, 1994 and reads as follows:

April 25, 1994

CITY-COUNTY GENERAL ORDINANCE NO. 57, 1994  
METROPOLITAN DEVELOPMENT COMMISSION  
DOCKET NO. 94-AO-1

A GENERAL ORDINANCE amending the Central Business District Zoning Ordinance of Marion County, Indiana, by repealing the CBD-Special Development District Zoning Ordinance and including the language of that ordinance into the Central Business District Zoning Ordinance as Section 2.04.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The CBD-Special Development District Zoning Ordinance, as adopted under Metropolitan Development Commission Docket Numbers 68-AO-7, 81-AO-8 and 85-AO-1, as amended, pursuant to IC 36-7-4, is hereby repealed.

SECTION 2. The language of the CBD-Special Development District Zoning Ordinance shall be combined into The Central Business District Zoning Ordinance as specified in SECTION 3, below.

SECTION 3. The Central Business District Zoning Ordinance of Marion County, Indiana, as adopted under Metropolitan Development Commission Docket Numbers 64-AO-1, 81-AO-4 and 93-AO-1, as amended, pursuant to IC 36-7-4, be further amended by deleting the stricken-through language and inserting the underscored language as follows:

CHAPTER I

Sec. 1.00. Establishment of Central Business Zoning Districts.

The following primary Central Business Zoning Districts for Metropolitan Indianapolis, Marion County, Indiana, are hereby established, and land within Indianapolis is hereby classified, divided and zoned into said districts as designated on the Central Business Zoning Districts MAPS, which Maps are attached hereto, incorporated herein by reference and made a part of this ordinance:

CENTRAL BUSINESS ZONING DISTRICTS

*Symbol*

CBD-1	Central Business District One
CBD-2	Central Business District Two
CBD-3	Central Business District Three
<u>CBD-S</u>	<u>CBD-Special Development District</u>

CHAPTER II

Sec. 2.00. Central Business Zoning District regulations.

The following regulations shall apply to all land within the Central Business Zoning Districts. After the effective date of this ordinance:

1. With the exception of legally established nonconforming uses, no land, building, structure, premises or part thereof shall be used or occupied except in conformity with these regulations and for uses permitted by this ordinance.
2. No building, structure, premises or part thereof shall be constructed, erected, converted, enlarged, extended, reconstructed, or relocated except in conformity with these regulations and for uses permitted by this ordinance.

Provided, however, legally established nonconforming uses may be reconstructed if damaged or partially destroyed by fire or other disaster when such damage or destruction does not exceed two-thirds (2/3) of the gross floor area of the structures or facilities affected.



Sec. 2.01. Central Business District One (CBD-1) regulations.

A. *Permitted CBD-1 uses.* Permitted uses in the CBD-1 District shall conform to the regulations of Section 2.00, the CBD-1 Development Standards of Section 2.01, B and the CBD-1 Performance Standards of Section 2.01, C. The following uses shall be permitted in the CBD-1 District:

17 1. Accessory off-street parking within buildings, anywhere within the CBD-1, provided:

- a. The gross floor area devoted to off-street parking, including access drives and maneuvering space, does not exceed twenty-five (25) percent of the total gross floor space of the building in which said off-street parking is located; and
- b. Said off-street parking shall be incidental and accessory to the primary use or uses of the building in which said off-street parking is located.

3 2. Apartment hotels, hotels, ~~motor hotels~~ motels.

4 3. Apartments.

6 4. Banks; savings and loan offices.

2 5. Business, professional and customer service offices.

18 6. Drive-in services (not including goods and food) shall be permitted in the CBD-1 District by special exception only upon ~~issuance~~ grant of a special exception ~~PERMIT therefore~~ by the metropolitan board of zoning appeals as set forth in section 2.05. (Drive-in establishments offering goods or food to customers waiting in cars shall not be permitted.)

16 7. Off-street parking garages, and accessory uses and facilities therefore, provided the lot obtain access only from one or more of the ~~following~~ streets: noted in Section 2.01, B. 3.

~~a. New York Street, Maryland Street, Capitol Avenue, Delaware Street.~~

~~b. East Washington Street between Pennsylvania Street and Delaware Street; or West Washington Street between Illinois Street and Capitol Avenue.~~

~~c. East Ohio Street between Pennsylvania Street and Delaware Street; or West Ohio Street between Illinois Street and Capitol Avenue.~~

~~d. North Pennsylvania Street between Ohio Street and New York Street; or West Ohio Street between Illinois Street and Capitol Avenue.~~

~~e. North Illinois Street between Ohio Street and New York Street; or South Illinois Street between Maryland Street and Washington Street.~~

~~f. Virginia, Massachusetts, Kentucky and Indiana Avenues.~~

On lots obtaining access from any other street within the CBD-1 District (excepting Monument Circle) off-street parking garages shall be permitted by special exception only, upon ~~issuance~~ grant of a special exception ~~PERMIT therefore~~ by the metropolitan board of zoning appeals as set forth in section 2.05.

15 8. Off-street parking lots. Provided, however, parking lots or other at- or near-grade open to the air parking uses, commercial or private shall be permitted only for a period not exceeding five (5) years in the area bounded by Talbott Street to the west, East Ohio Street to the north, North Delaware Street to the east, and East Washington Street to the south.

12 9. Offices, sales and display rooms for wholesalers, distributors, warehouses, and manufacturers' agents, including stock, accessory storage, ~~and/or~~ warehouse space, provided:

- a. Said accessory stock, storage and warehouse space does not exceed seventy-five (75) percent of the total net floor area of the combined office, sales, display, and accessory storage and warehouse space used in the same building by the same firm or enterprise; and
- b. In no case shall more than twenty-five (25) percent of the total net floor area in any single building be devoted to such accessory stock, storage and warehouse space.

(In the case of two or more contiguous buildings under single ownership or lease, for purposes of a and b above, such contiguous buildings shall be considered as one building.)

10. Outdoor retail sales of beverages, flowers and food from carts on sidewalks and public areas, subject to the provisions of Article XXIII, Chapter 17 of the Code of Indianapolis and Marion County, Indiana.
- 9 11. Printing establishments.
- 13 12. Processing or manufacturing of goods by retailers and wholesalers, provided:
- a. the net floor area occupied by said processing or manufacturing plus storage and warehouse space does not exceed seventy-five (75) percent of the total net floor areas used in the same building by the same firm or enterprise; and
  - b. in no case shall more than twenty-five (25) percent of the total net floor area in any single building be devoted to such processing, manufacturing storage and warehouse space.

(In the case of two or more contiguous buildings under single ownership or lease, for purposes of a and b above, such contiguous building shall be considered as one building.)

- 14 13. Public and semipublic structures, parks and open space.
- 8 14. Public utilities.
- 1 15. Retail sales and service establishments, provided, however, automobile service stations, repair garages, auto sales or service centers or car washes or other similar or comparable service to automotive vehicles or customers in said vehicles shall be prohibited in the CBD-1 District in an area bounded by Talbott Street to the west, East Ohio Street to the north, North Delaware Street to the east, and East Washington Street to the south.
- 11 16. Sales of beverages, flowers and food from a portion of the sidewalk abutting the same business premises, subject to the additional provisions of section 2.01, B. 1, b.
- 7 17. Theatres, auditoriums and amusement facilities.
- 5 18. Transportation facilities and accessory facilities therefore, including but not limited to, waiting rooms, loading docks, storage and associated commercial uses.

B. *CBD-1 development standards.*

1. *Use.*

- a. All sales, servicing, processing, manufacturing and storage shall be conducted within completely enclosed buildings, except that the display ~~and~~ or sale of merchandise may be conducted on open space on the lot, if such open space is located within or in enclosed on three (3) or more sides by the outer dimensions of the building.
- b. Retail sales on sidewalks abutting a business
  - (1) Retail sales of beverages, flowers and food may be carried out on a portion of the sidewalk abutting the same business premises if provided:
    - (a) Regional Center approval is obtained.
    - (b) ~~and~~ Permission is secured from the appropriate governmental unit to use the right-of-way.
    - (c) A detailed site plan showing the use and location all furniture and equipment (including tables, barriers, chairs, signs, awnings, trash receptacles and umbrellas) on the portion of the sidewalk, the color and design of such furniture and equipment and the movement of people on the portion of the sidewalk must be approved by the



administrator of the neighborhood and development services division of ~~Planning and Zoning~~.

2. Bulk control.

- a. Maximum lot coverage and minimum setback: One hundred (100) percent lot coverage shall be permitted, and no front, side or rear setbacks shall be required. Provided, however, if a rear or side setback is provided along any rear or side lot line not abutting an alley, such setback depth shall be not less than ten (10) feet.
- b. Height limitations - sky exposure plane: With the exceptions of the signs ~~regulations of section 2.04, B~~, there shall be no height limitations in the CBD-1 District other than the following sky exposure plan controls, which shall apply to the erection, expansion and alteration of all buildings or other structures in the CBD-1 District.
  - (1) The Sky Exposure Plane One (1) (as defined in section 2.06) shall be applied to all lots within the CBD-1 District abutting:
    - (a) New York Street
    - (b) Ohio Street
    - (c) Market Street
    - (d) Washington Street
    - (e) Maryland Street
    - (f) Capitol Avenue
    - (g) Illinois Street
    - (h) Meridian Street
    - (i) Pennsylvania Street
    - (j) Delaware Street
    - (k) Indiana Street
    - (l) Massachusetts Avenue
    - (m) Kentucky Avenue
    - (n) Virginia Avenue

Provided, however, the Sky Exposure Plan Three (3) (as defined in ~~s~~Section 2.06) shall be applied to all lots abutting Monument Circle.

- (2) No part of any building, or other structure on any lot shall penetrate the applicable Sky Exposure Plane except as follows:

A building or other structure may penetrate the Sky Exposure Plane One provided that the area of all architectural elevation facing the street, of all buildings and other structures on the lot (including those portions thereof violating the Sky Exposure Plane) when projected back to the base of the Sky Exposure Plane, establishes an area at the lot line not in excess of the total area of the Lot Frontage Plane (an imaginary vertical plane, having a base coextensive with the front line and extending vertically to its termination at the intersection of the applicable Sky Exposure Plane).

3. Off-street parking

- a. Parking garages. Off street parking garages shall be subject to the following requirements:

Entrances and Exits:

- (1) Vehicular entrances and exits to off-street parking garages shall be provided only on the following streets:
  - (a) East New York Street; West New York Street.
  - (b) East Maryland Street; West Maryland Street.
  - (c) North Capitol Avenue; South Capitol Avenue.

- (d) North Delaware Street; South Delaware Street.
  - (e) West Washington Street between Illinois Street and Capitol Avenue.
  - (f) West Ohio between Illinois Street and Capitol Avenue.
  - (g) North Pennsylvania Street between Ohio Street and New York Street; South Pennsylvania Street between Maryland Street and Washington Street.
  - (h) North Illinois Street between Ohio Street and New York Street; South Illinois Street between Maryland Street and Washington Street.
  - (i) Indiana, Massachusetts, Kentucky and Virginia Avenues.
  - (j) West East Washington Street between Pennsylvania Street and Delaware Street.
  - (2) Off-street parking entrances or exits shall be located a minimum distance of twenty-five (25) feet from the nearest point of two intersecting street right-of-way lines. Such access cuts shall further conform to all requirements of traffic engineering departments having jurisdiction thereof.
  - (3) Vehicular entrances and exits to off-street parking garages shall not be provided on any alley except for emergency purposes only.
- b. Parking lots. Off-street parking lots shall be subject to the following requirements:
- (1) The parking area shall not be used for permanent storage or the display, advertisement, sale, repair, dismantling or wrecking of any vehicle, equipment or materials.
  - (2) Parking areas shall be paved with concrete or improved with a compacted macadam base, and surfaced with an asphaltic pavement to adequately provide a durable and dust-free surface. Parking areas shall be maintained in good condition and free of weeds, dirt, trash and debris.
  - (3) The surface shall be graded and drained in such a manner that there be no free flow of water onto either adjacent properties or sidewalks.
  - (4) The parking area shall be provided with bumper guards or wheel guards so located that no part of the parked vehicles will extend beyond the boundary of the established parking area.
  - (5) Lighting facilities used to illuminate the parking areas shall be so located, shielded and directed upon the parking area that they do not glare onto or interfere with street traffic, adjacent buildings, or adjacent uses.
4. *Off-street loading.*
- a. Location
- (1) All off-street loading areas shall be located within two hundred (200) feet of the lot served.
  - (2) Off-street loading facilities for separate lots may be provided collectively if:
    - (a) Such loading facilities are within two hundred (200) feet of all establishments served thereby, and
    - (b) The size of the collective loading area is determined (in accordance with e. below), by the sum of the total adjusted net floor area for all buildings served by said collective off-street loading facilities.
  - (3) Each off-street loading area shall be located with direct vehicular access to an alley only, and in a manner which will least interfere with traffic movements and such that no vehicle or part thereof will protrude into an alley, street or public right-of-way.



- b. Size of off-street loading space. An off-street loading space shall be at least five hundred (500) square feet in area, exclusive of maneuvering area.
- c. Surfacing. All open off-street loading areas shall be paved with concrete, or improved with a compacted macadam base, and surfaced with an asphaltic surface which shall be maintained in good condition and free of weeds, dirt, trash and debris.
- d. Repair and service. No motor vehicle repair work or service of any kind shall be permitted in conjunction with loading facilities, except for emergencies developing during occupation of said facilities.
- e. Number of required off-street loading spaces.
  - (1) The number of required off-street loading spaces is based upon the building total adjusted net floor area as defined in section 2.06.
  - (2) Off-street loading spaces shall be provided in accordance with the following minimum requirements:

<i>Total Adjusted Net Floor Area of Building (Square Feet)</i>	<i>No. of Loading Spaces Required</i>
0- 10,000	None
10,001- 100,000	1
100,001- 350,000	2
350,001- 600,000	3
600,001- 850,000	4
850,001-1,100,000	5

For each additional 350,000 square feet of net floor area over 1,100,000 or fraction thereof, one (1) additional loading space shall be provided.

- 5. *Signs:* Signs and sign structures shall comply with the Sign Regulations of Marion County, Indiana, 71-AO-4, as amended.

C. *CBD-1 performance standards.* All uses established or placed into operation after the effective date of this ordinance shall comply with the following standards. No use in existence on the effective date of this ordinance shall be so altered or modified as to conflict with these standards.

- 1. *Vibration:* No use shall cause earth vibrations or concussions detectable beyond the lot lines without the aid of instruments.
- 2. *Smoke, dust and particulate matter:* ~~No use shall emit smoke of a density equal to or greater than No. 2 according to the Ringelmann Scale, as now published and used by the U.S. Bureau of Mines, which scale is on file in the office of the Metropolitan Planning Department~~ Smoke, dust, particulate matter any other airborne material shall be subject to the standards and regulations of Chapter Four of the Municipal Code of the City of Indianapolis, which ordinance is on file in the office of the Neighborhood and Development Services Division, Department of Metropolitan Development of Marion County, Indiana, and is hereby incorporated by reference and made a part hereof.
- ~~3. DUST: No use shall cause dust, dirt or fly ash of any kind to escape beyond the lot lines in a manner detrimental to or endangering the public health, safety or welfare or causing injury to property.~~
- 4. 3. *Noxious matter:* No use shall discharge across the lot lines, noxious, toxic or corrosive matter, fumes or gases in such concentration as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.
- 5. 4. *Odor:* No use shall emit across the lot lines odor in such quantities as to be readily detectable at any point along the lot lines and as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.

- 6 5. *Sound:* No use shall produce sound in such a manner as to endanger the public health, safety or welfare or cause injury to property. Sound shall be muffled so as not to become detrimental due to intermittence, beat frequency, shrillness or vibration.
- 7 6. *Heat and glare:* No use shall produce heat or glare creating a hazard perceptible from any point beyond the lot lines.
- 8 7. *Waste matter:* No use shall accumulate within the lot or discharge beyond the lot lines any waste matter, whether liquid or solid, in violation of the applicable standards and regulations of the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana, the Indiana State Board of Health, ~~and~~ the Stream Pollution Control Board of the state of Indiana, and the Department of Public Works, or in such a manner as to endanger the public health, safety or welfare or cause injury to property.

Sec. 2.02 Central business district two regulations.

A. *Permitted CBD-2 uses.* Permitted uses in the CBD-2 District shall conform to the regulations of Section 2.00, the CBD-2 Development Standards of Section 2.02, B and the CBD-2 Performance Standards of Section 2.02, C. The following uses shall be permitted in the CBD-2 District:

- 1. Attached multifamily dwellings, as defined in Section 2.06.
- 2. Banks, savings and loan offices.
- 3. Business, professional and consumer service offices.
- 4. City market place.
- 4 5. Dwelling unit(s), as defined in Section 2.06.
- 5 6. Hotel, motel.
- 6 7. Off-street parking garages ~~and lots.~~
- 8. Off-street parking lots, provided, however, provided, however, parking lots or other at- or near-grade open to the air parking uses, commercial or private shall be permitted only for a period not exceeding five (5) years in the area bounded by: North Delaware Street on the west, lots fronting on East Ohio Street between Delaware Ogden Streets on the north, lots fronting on Alabama Street between Ohio and Pearl Streets on the east, and Pearl Street on the south.
- 7 9. Off-street parking (accessory) within buildings.
- 8 10. Outdoor retail sales of beverages, flowers and food from cart on sidewalks and public areas, subject to the provisions of Article XXIII, Chapter 17 of the Code of Indianapolis and Marion County, Indiana.
- 9 11. Printing establishments.
- 10 12. Processing, repairing, or manufacturing goods by retailers and wholesalers, provided:
  - a. The net floor area occupied by said processing, repairing, or manufacturing plus storage and warehouse space does not exceed seventy-five (75) percent of the total net floor area used in the same building by the same firm or enterprise; and,
  - b. In no case shall more than fifty (50) percent of the total net floor area in any single building be devoted to such processing, repairing, manufacturing, storage and warehouse space.

(In the case of two or more contiguous buildings under single ownership or lease, for purposes of a and b above, such contiguous buildings shall be considered as one building.)
- 11 13. Public and semipublic structure, parks and open space.
- 12 14. Public utilities.



- ~~13~~ 15. Retail sales and service establishments, provided, however, automobile service stations, repair garages, auto sales or service centers or car washes or other similar or comparable service to automotive vehicles or customers in said vehicles shall be prohibited in the CBD-2 District in an area bounded by: North Delaware Street on the west, lots fronting on East Ohio Street between Delaware Ogden Streets on the north, lots fronting on Alabama Street between Ohio and Pearl Streets on the east, and Pearl Street on the south.
- ~~14~~ 16. Sales of beverages, flowers and food from a portion of the sidewalk abutting the same business premises, subject to the additional provisions of Section 2.02, B. 1, c.
- ~~15~~ 17. Theatres, auditoriums and amusement facilities.
- ~~16~~ 18. Transportation facilities and accessory facilities therefore including but not limited to waiting rooms, loading docks, storage and associated commercial uses.
- ~~17~~ 19. Wholesaling and warehousing establishments.

B. *CBD-2 development standards.*

1. *Use.*

a. Outdoor display: Outdoor display, sales and service shall be permitted, provided:

- (1) The outdoor display of goods or materials shall not include the storage or stockpiling of materials.
- (2) All goods and materials shall be located within the lot, and not encroach upon any public right-of-way.
- (3) The outdoor display of materials or goods shall not occupy an area greater than twenty-five (25) percent of the gross floor area of the main structure occupying the lot; except, however, outdoor display of motor vehicles shall be permitted (with or without a main structure occupying the lot), provided:
  - (a) The outdoor space is not utilized for the repair, dismantling or wrecking of any vehicle.
  - (b) No attention attracting devices, including but not limited to flags, pennants, flashing lights, etc., are used, except as provided for in ~~section 2.04~~ the Sign Regulations of Marion County, Indiana, 71-AO-4, as amended.
  - (c) All lighting facilities used to illuminate the outdoor space are located, shielded and directed upon the outdoor space in such a manner that they do not glare onto or interfere with street traffic, adjacent buildings or adjacent uses.
  - (d) All outdoor space used for the display of motor vehicles shall be paved with concrete or improved with a compacted macadam base, and surfaced with an asphaltic pavement to adequately provide a durable and dust-free surface.
  - (e) The outdoor space used for the display of motor vehicles shall be provided with bumper guards or wheel guards so located that no part of the displayed vehicles will extend beyond the boundary of the established display area.
- (4) The outdoor display area shall be maintained in good condition and free of weeds, dirt, trash and debris.

b. Outdoor sales and service.

- (1) Outdoor sales may be conducted in association with outdoor displays.
- (2) Outdoor sales and service to customers waiting in parked cars (drive-in services) shall be permitted provided:

- (a) Service is not construed to mean manufacturing, processing, or repairing, dismantling, or wrecking of vehicles, machinery, equipment.
    - (b) Outdoor space is not utilized for the rental, sale, or storage of motor vehicles or trailers.
    - (c) The area on which outdoor service is conducted shall be surfaced and maintained under the standards set forth in section 2.02, B 3, b, (2), (3), (4), and (5).
  - c. Retail sales on sidewalks abutting a business.
    - (1) Retail sales of beverages, flowers and food may be carried out on a portion of the sidewalk abutting the same business premises provided:
      - (a) Regional Center approval is obtained.
      - (b) Permission is secured from the appropriate governmental unit to use the right-of-way.
      - (c) A detailed site plan showing the use and location of all furniture and equipment (including tables, barriers, chairs, signs, awnings, trash receptacles and umbrellas) on the portion of the sidewalk, the color and design of such furniture and equipment and the movement of people on the portion of the sidewalk is approved by the Administrator of the Neighborhood and Development Services ~~Division of Planning and Zoning~~.
- 2. Bulk Control.
  - a. Maximum lot coverage and minimum setback. One hundred (100) percent lot coverage shall be permitted, and no front, side or rear setbacks shall be required. Provided, however, if a rear or side setback is provided along any rear or side lot line not abutting an alley, such setback depth shall be not less than ten (10) feet.
  - b. Height limitations - sky exposure plane. With the exception of the signs ~~regulations of section 2.04, B~~, there shall be no height limitations in the CBD-2 District other than the following sky exposure plane controls, which shall apply to the erection, expansion and alteration of all buildings or other structures in the CBD-2 District.
    - (1) The Sky Exposure Plane Two (2) (as defined in ~~s~~Section 2.06) shall be applied to all lots within the CBD-2 District. Except, however, the Sky Exposure Plane One (1) (as defined in ~~s~~Section 2.06) shall be applied to all lots within the CBD-2 District abutting:
      - (a) The north side of New York Street between Illinois Street and Capitol Avenue.
      - (b) The east side of Delaware Street between New York Street and Maryland Street.
      - (c) The south side of Maryland Street between Delaware Street and Capitol Avenue.
      - (d) The west side of Capitol Avenue between New York Street and Maryland Street.
    - (2) No part of any building or other structure on any lot shall penetrate the applicable Sky Exposure Plane, except the following:

A building or other structure may penetrate the Sky Exposure Plane One or Two provided that the area of all architectural elevation facing the street, of all buildings and other structures on the lot (including those portions thereof violating the Sky Exposure Plane), when projected back to the base of the Sky Exposure Plane establishes an area at the lot line not in excess of the total area of the lot Frontage Plane (an imaginary vertical plane, having a base coextensive with the front lot line and extending vertically to its termination at the intersection of the applicable Sky Exposure Plane.
- 3. Off-street parking.
  - a. Off-street parking entrances or exits shall be located a minimum distance of twenty-five (25) feet from the nearest point of two intersecting street right-of-way lines. Such access cuts shall further conform to all requirements of traffic engineering department having jurisdiction thereof.



- b. Parking lots. Off-street parking lots shall be subject to the following requirements:
    - (1) The parking area shall not be used for permanent storage, or the display, advertisement, sale, repair, dismantling or wrecking of any vehicle, equipment or materials.
    - (2) Parking areas shall be paved with concrete or improved with a compacted macadam base, and surfaced with an asphaltic pavement to adequately provide a durable and dust-free surface. Parking areas shall be maintained in good condition and free of weeds, dirt, trash and debris.
    - (3) The surface shall be graded and drained in such a manner that there will be no free flow of water onto either adjacent properties or sidewalks.
    - (4) The parking area shall be provided with bumper guards or wheel guards so located that no part of the parked vehicles will extend beyond the boundary of the established parking area.
    - (5) Lighting facilities used to illuminate the parking areas shall be so located, shielded and directed upon the parking area that they do not glare onto or interfere with street traffic, adjacent buildings, or adjacent uses.
  - c. Required off-street parking. Off-street parking facilities shall be provided for all uses in the CBD-2 District; except, however, all lots within the area known as the Mile Square, bounded by North Street, East Street, South Street, and West Street.
    - (1) Number of Required Off-Street Parking Spaces: One (1) parking space at least nine (9) feet in width and at least twenty (20) in length, exclusive of access drives, aisles, ramps, lanes, etc., shall be provided for each eight-hundred (800) square feet of the building's total adjusted net floor area as defined in section 2.06.
    - (2) Location of Required Parking: All required off- street parking facilities shall be located either on the same lot as the use served or within four hundred (400) feet thereof.
    - (3) Collective Facilities: Off-street parking facilities for separate uses may be provided collectively if the total number of spaces so provided collectively is not less than the sum of the separate requirements for each such use, and provided that such parking facilities are within four hundred (400) feet of all said separate uses.
4. *Off-street loading.*
- a. Location.
    - (1) All loading areas shall be located within two hundred (200) feet of the lot served.
    - (2) Off-street loading facilities for separate lots may be provided collectively if:
      - (a) Such loading facilities are within two hundred (200) feet of all establishments served thereby, and
      - (b) The size of the collective loading area is determined (in accordance with e. below), by the sum of the total adjusted net floor area for all buildings served by said collective off-street loading facilities.
    - (3) Off-street loading areas may have direct access from any streets, except on the:
      - North side of New York Street between Delaware Street and Capitol Avenue;
      - South side of Maryland Street between Delaware Street and Capitol Avenue;
      - West side of Capitol Avenue between Maryland Street and New York Street;
      - East side of Delaware Street between Maryland Street and New York Street.

- (4) Each off-street loading area shall be located in a manner which will least interfere with traffic movements and such that no vehicle or part thereof will protrude into any alley, street or public right-of-way.
- b. Size of off-street loading space. An off-street loading space shall be at least five hundred (500) square feet in area, exclusive of maneuvering area.
- c. Surfacing. All open off-street loading areas shall be paved with concrete, or improved with a compacted macadam base, and surfaced with an asphaltic surface to adequately provide a durable and dust-free surface which shall be maintained in good condition and free of weeds, dirt, trash and debris.
- d. Repair and service. No motor vehicle repair work or service of any kind shall be permitted in conjunction with loading facilities, except for emergencies developing during occupation of said facilities.
- e. Number of required off-street loading spaces.
  - (1) The number of required off-street loading spaces is based upon the building total adjusted net floor area as defined in section 2.06.
  - (2) Off-street loading spaces shall be provided in accordance with the following minimum requirements:

<i>Total Adjusted Net Floor Area of Building (Square Feet)</i>	<i>No. of Loading Spaces Required</i>
0- 10,000	None
10,001- 100,000	1
100,001- 350,000	2
350,001- 600,000	3
600,001- 850,000	4
850,001-1,100,000	5

For each additional 350,000 square feet of net floor area over 1,100,000 or fraction thereof, one (1) additional loading space shall be provided.

5. *Signs.* Signs and sign structures shall comply with the Sign Regulations of Marion County, Indiana, 71-AO-4, as amended.

C. *CBD-2 performance standards.* The CBD-1 Performance Standards, section 2.01, C shall apply to the CBD-2 District.

Sec. 2.03. Central Business District Three (CBD-3) regulations.

A. *Permitted CBD-3 uses.* Permitted uses in the CBD-3 District shall conform to the regulations of Section 2.00, the CBD-3 Development Standards of Section 2.03, B and the CBD-3 Performance Standards of Section 2.03, C. The following uses shall be permitted in the CBD-3 District:

1. Attached multifamily dwellings, as defined in section 2.06.
2. Banks, savings and loan offices.
3. Business, professional and consumer service offices.
4. Dwelling units, as defined in section 2.06.
5. Hotels, motels.
6. Off-street parking garage, parking lots, and accessory off-street parking within buildings, subject to the regulations of Section 2.03, B.3.



7. Offices, sales and display rooms for wholesalers, distributors, warehouses, manufacturers' agents, including stock, accessory storage, or warehouse space, provided:

- a. Said accessory stock, stock and warehouse space does not exceed twenty-five (25) percent of the total net floor area of the combined office, sales, display, and accessory storage and warehouse space used in the same building by the same firm or enterprise; and,
- b. In no case shall more than twenty-five (25) percent of the total net floor area in any single building be devoted to such accessory stock, storage and warehouse space.

(In the case of two or more contiguous buildings under single ownership or lease, for purposes of a and b above, such contiguous buildings shall be considered as one building.)

8. Outdoor retail sales of beverages, flowers and food from cart on sidewalks and public areas, subject to the provisions of Article XXIII, Chapter 17 of the Code of Indianapolis and Marion County, Indiana.

9. Printing establishments.

10. Public utilities.

11. Retail sales and service establishments primary for the convenience of residents or employees of this district, provided:

- a. Such establishments (except for sales of beverages, flowers and food from carts) shall be located within buildings principally used for office, apartment, hotel or off-street parking uses, and
- b. Such establishments shall include any of the following or similar uses of a like nature or character:

bank, savings and loan office	grocery store
bar, cabaret, night club	jewelry store
barber shop	laundromat
beauty shop	men's and women's wear
book store	newsstand
cleaners and laundry outlet	restaurant
delicatessen	<del>sales of beverages, flowers</del>
drug store	<del>and food from carts</del>
florist	shoe repair shop
gift shop	stationery store
	ticket office

12. Public and semipublic structures, parks, and open space.

13. Sales of beverage, flowers and food from a portion of the sidewalk abutting the same business premises, subject to the additional provisions of section 2.03, B, 1, c.

- B. *CBD-3 Development standards.*

1. *Use.*

- a. All business and retail enterprise shall be conducted with completely enclosed buildings.
- b. Drive-in establishments offering goods, food or services to customers waiting in cars shall not be permitted.
- c. Retail sales on sidewalks abutting a business. Retail sales of beverages, flowers and food may be carried out on a portion of the sidewalk abutting the same business premises provided:

(1) Regional Center approval is obtained.

(2) Permission is secured from the appropriate governmental unit to use the right-of-way.

- (3) A detailed site plan showing the use and location of all furniture and equipment (including tables, barriers, chairs, signs awnings, trash receptacles and umbrellas) on the portion of the sidewalk, the color and design of such furniture and equipment and the movement of people on the portion of the sidewalk is approved by the Administrator of the Neighborhood and Development Services Division.

2. *Bulk control.*

- a. Maximum lot coverage and minimum setback. One hundred (100) percent lot coverage shall be permitted, and no front, side or rear setbacks shall be required. Provided, however, if a rear or side setback is provided along any rear or side lot line abutting an alley, such setback depth shall be not less than ten (10) feet.
- b. Height limitations. There shall be no height limitations or sky exposure plane controls in the CBD-3 District.

3. *Off-street parking.*

- a. Parking garages and accessory parking within buildings.

- (1) Off-street parking garage and accessory off-street parking facilities within buildings located on lots having frontage upon North Meridian Street or North Pennsylvania Street shall:

Be developed as an integral part of an associated apartment, office, hotel or other permitted principal use structure, with no exterior evidence of the parking use perceptible on the Pennsylvania or Meridian Street frontage, except for ingress and/or egress from North Meridian or North Pennsylvania Streets.

- (2) Off-street parking entrances or exits shall be located a minimum distance of twenty-five (25) feet from the nearest point of two intersecting street right-of-way lines. Such access cuts shall further conform to all requirements of traffic engineering departments having jurisdiction thereof.

- b. Parking lots.

- (1) The off-street parking requirements and regulations of the CBD-2 District (section 2.02, b 3, a and b) shall apply to the CBD-3 District.
- (2) No open parking shall be permitted on any lot having frontage upon North Meridian Street or North Pennsylvania Street, except where there is an intervening structure of at least one story between the entire open parking area of said lot and North Meridian Street or North Pennsylvania Street.

4. *Off-street loading.* The requirements and regulations of the CBD-2 District (Section 2.02, bB, 4) shall apply to the CBD-3 District, except:

- a. Off-street loading areas may have direct access from any streets, except:

- (1) North Meridian Street;
- (2) North Pennsylvania Street; and
- (3) the north side of east and West New York Street.

5. *Signs.* Signs and sign structures shall comply with the Sign Regulations of Marion County, Indiana, 71-AO-4, as amended.

- C. *CBD-3 performance standards.* The CBD-1 Performance Standards, section 2.01, C shall apply to the CBD-3 District.



Sec. 2.04. ~~Reserved~~ CBD-Special Development Zoning District.

A. Permitted uses. Permitted uses in the CBD-S District shall conform to the regulations of Section 2.00, the Development Standards of Section 2.04, B and the Performance Standards of Section 2.03, C.

Subject to the provisions of this section, any appropriate planned land use, complex or combination of land uses as designated and specified in the amending petition or ordinance zoning land to the CBD Special Development District may be permitted. By example, the following uses may be appropriate in the CBD-S District:

1. Attached multifamily dwellings, as defined in Section 2.06.
2. Commercial office-multifamily residential complex, or other planned complex, which may include business, professional and consumer service offices, retail sales and service uses, or other appropriate uses and accessory facilities.
3. Hotels, motels.
4. Office-commercial-industrial research and development park or complex.
5. Off-street parking garage, parking lots, and accessory off-street parking within buildings.
6. Public and semipublic structures and uses, parks and open spaces, including, but not limited to, museums, auditoriums, theatres, amphitheaters, exhibition halls or exhibition spaces, zoos, civic centers, libraries, governmental office complex, greenways, and recreational uses such as sports stadia, marinas, and similar uses.
7. Restaurant.

All land use within the CBD-S District shall be limited to the use or uses specified in the applicable rezoning petition or ordinance redistricting and zoning the particular land to the CBD-S District.

A site and development plan for a proposed District shall be filed with the zoning petition and approved by the Metropolitan Development Commission. The Commission may approve, amend or disapprove the plan or any amended plan and may impose any reasonable conditions upon its approval. If such plan submitted is a preliminary rather than final plan, the Commission's approval shall be conditioned upon the approval, by the Administrator of the Neighborhood and Development Services Division, Department of Metropolitan Development, of a final site and development plan, in total or in phases. Such final plan approval by the Administrator shall be conditioned upon the Administrator's finding that the final plan is consistent and in substantial conformity with the preliminary plan, as approved by the Metropolitan Development Commission. If the Administrator does not so find, the applicant may appeal the Administrator's decision to the Metropolitan Development Commission, and the Commission shall determine, after hearing, whether the Administrator's decision should be sustained.

B. Development standards. The following regulations shall apply to all land within the District:  
All District uses shall:

1. be so planned, designed, constructed and maintained as to create a superior land development, in conformity with the Comprehensive Plan of Marion County, Indiana;
2. create and maintain a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the District and with adjacent uses;
3. provide sufficient and well-designed access, parking and loading areas;
4. provide traffic control and street plan integration with existing and planned public streets and interior access roads;
5. provide adequately for sanitation, drainage and public utilities; and,
6. allocate adequate area for all uses proposed, the design, character, grade, location and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topo-

graphical and other conditions, and consistent with the Comprehensive Plan for Marion County, Indiana.

C. Performance standards. The CBD-1 Performance Standards, Section 2.01, C shall apply to the CBD-3 District.

Sec. 2.05. Special exceptions.

A. *Special exceptions.*

1. Special exceptions granted by Metropolitan Board of Zoning Appeals. The Metropolitan Board of Zoning Appeals of Marion County, Indiana, is hereby authorized to grant ~~and permit~~ special exceptions to the Central Business Districts standard terms, regulations and requirements, as specified in this ordinance, ~~and issue special exceptions permits therefore.~~

a. Such special exceptions ~~and permit~~ shall be granted (following application filed with the Secretary of said Board by the landowner petitioner, notice to owners of adjoining parcels of land and public hearing by said Board--all in accordance with the Rules of Procedure of the Metropolitan Board of Zoning Appeals) only upon the Metropolitan Board's determination that:

- (1) The grant will not be injurious to the public health, safety, convenience or general welfare.
- (2) The grant will not injure or adversely affect the adjacent area or property values therein.
- (3) The grant will be in harmony with the character of the district and land use authorized therein.

b. The grant of such Special Exception ~~and Permit~~ shall be conditioned upon the following requirements:

- (1) The proposed use shall conform to all performance standards of the applicable Central Business District.
- (2) The proposed use shall conform to all development standards of the applicable Central Business District, except as specifically modified by the grant of Special Exception ~~and Permit~~.
- (3) The proposed use shall conform to all other applicable requirements of this ordinance and all restrictions and conditions attached to the grant of Special Exception ~~and Permit~~ by said Board--(in case of conflict, the more restrictive standards or requirements are to control). All restrictions or conditions attached to the grant of any special Exception ~~and Permit~~ by the Metropolitan Board of Zoning Appeals shall be limited by standards (1), (2) and (3) of paragraph a. above, and shall be imposed by said Board to ensure compliance with said standards.

Sec. 2.06. Construction of language and definitions.

A. Construction of language. The language of this ordinance shall be interpreted in accordance with the following regulations:

1. The particular shall control the general.
2. In the case of any difference of meaning or implication between the text of this ordinance and any illustration or diagram, the text shall control.
3. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
4. Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
5. A "building" or "structure" includes any part thereof.



6. The phrase "used for", includes "arranged for", "designed for", intended for", "maintained for", or "occupied for".
7. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction "and", "or", or "either...or", the conjunction shall be interpreted as follows:
  - a. "And" indicates that all the connected items, conditions, provisions, or events shall apply.
  - b. "Or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.
  - c. "Either...or" indicates that all the connected items, conditions, provisions, or events shall apply singly but not in combination.
- B. Definitions. The following definitions shall be applied for purposes of this ordinance:
  1. *Alley:* A public way, the right-of-way of which is less than thirty-five (35) feet in width.
  2. *Attached multi-family dwellings:* A building or buildings for residential purposes with three or more dwelling units, having common or party wall or walls, on a single lot. Each unit is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common or individual stairwell(s) exterior to any dwelling unit(s).
  3. *Dwelling unit:* One or more rooms connected together in a residential building or residential portion of a building, which are arranged, designed, used and intended for use by one or more human beings living together as a family and maintaining a common household for owner occupancy or rental or lease on a weekly, monthly, or longer basis; and which includes lawful cooking, eating, sleeping space and sanitary facilities reserved solely for the occupants thereof.
  4. *Family:* One or more human beings related by blood, marriage, adoption, or guardianship together with incidental domestic servants and temporary, non-compensating guests; or, not more than four (4) human beings not so related, occupying a dwelling unit and living as a single housekeeping unit.
  5. *Lot:* Any area of land designated as a lot on a platted subdivision or described on a duly recorded deed or parcel of land or site which is occupied, or intended for occupancy, by one (1) principal use.
  6. *Net floor area:* The sum of the gross horizontal areas of the one or several floors and basements of the building or portions thereof devoted to permitted uses, not including, however, floor area devoted primarily to storage purposes; floor area devoted primarily to storage purposes; floor area devoted to off-street parking or loading facilities, including aisles, ramps and maneuvering space; or floor area used for toilets, rest rooms, utilities, lounges, elevator shafts, main corridors and stairwells, or cafeterias for the use of employees only. Provided, however, for the purposes of determining off-street loading requirements, net floor area shall include floor area devoted primarily to storage purposes, but shall otherwise be defined as above.
  7. *Public area:* Land owned or controlled by a governmental unit for public use, including but not limited to sidewalks, plazas and parks.
  8. *Signs:* Any structure, fixture, placard, announcement, declaration, device, demonstration or insignia used for direction, information, identification or to advertise or promote any business, product, goods, activity, services or any interests.
  9. *Sky exposure plane:* An imaginary sloping surface, consisting of three (3) types, rising over designated lots in the CBD-1 and CBD-2, as specified in sections 2.01, B, 2, and 2.02, B, 2, for purposes of limiting height of buildings, signs and other structures:
    - (1) Sky Exposure Plane One:
      - a. On each street in the CBD-1 [District] designated in section 2.01, B, 2, b, (1) (excepting Monument Circle), and in the CBD-2 [District] designated in section 2.02, B, 2, b, (1), the

Sky Exposure Plane One shall have a base which is coincident with the center line of each said street; and

- b. At the base has an elevation equal to the average elevation above mean sea level of the street center line from the intersection of one street center line to the intersection of the next; and
- c. Is included at an angle of seventy-eight (78) degrees measured from the horizontal; and
- d. Extends to a vertical elevation of three hundred (300) feet above the base; and
- e. Then continues vertically at an angle of ninety (90) degrees measured from the horizontal; and
- f. Extends to a vertical elevation, above the base, equal to infinity.

(2) Sky Exposure Plane Two:

- a. On all streets in the CBD-2 [District] (excepting those streets specifically designated in section 2.02, B, 2, (1), the Sky Exposure Plane Two shall have a base which is coincident with the center line of each said street; and
- b. At the base has an elevation equal to the average elevation above mean sea level of the street center line from the intersection of one street center line to the intersection of the next; and
- c. Is inclined at an angle of sixty (60) degrees measured from the horizontal; and
- d. Extends to a vertical elevation of two hundred (200) feet above the base; and
- e. Then continues vertically at an angle of ninety (90) degrees measured from the horizontal; and
- f. Extends to a vertical elevation, above the base, equal to infinity.

(3) Sky Exposure Plane Three:

- a. In the case of all lots abutting Monument Circle, in the CBD-1 [District], as designated in section 2.01, B, 2, b, (1), the Sky Exposure Plane Three shall have a base which is coincident with the center line of the street; and
- b. At the base has an elevation equal to the average elevation above mean sea level of the street center line from the intersection of one street center line to the intersection of the next; and
- c. Is inclined at an angle of sixty-seven and one-half ( $67\frac{1}{2}$ ) degrees measured from the horizontal; and
- d. Extends to a vertical elevation of one hundred eight (108) feet above the base; and
- e. Then continues at an angle of seventy-four (74) degrees measured from the horizontal; and
- f. Extends to a vertical elevation of one hundred fifty (150) feet above the base; and
- g. Then continues horizontally at an angle of zero (0) degrees measured from the horizontal; and
- h. Extends to the alleys known as Wabash, Scioto, Bird and Court streets.

10. *Street:* A public way, the right-of-way of which is at least thirty-five (35) feet in width.

11. *Total adjusted net floor area:*



- a. For determining required off-street loading:
  - (1) To determine total adjusted net floor area:
    - (a) Total the net floor area devoted to each use within the building;
    - (b) Multiply the total net floor area for each use by the loading floor area factor for such use, as specified in b below;
    - (c) Add the results of 2 above; this is the total adjusted net floor area.
  - (2) Loading floor area factors:
    - (a) Retail sales and services-2.0;
    - (b) Business, professional and consumer service, motels and motor hotels-1.0;
    - (c) Manufacturing and wholesale (exclusive of office, sales and display area)-2.5;
    - (d) Residential and apartment hotels-0.5.
- b. For determining required off-street parking:
  - (1) To determine total adjusted net floor area:
    - (a) Total the net floor area devoted to each use within the building;
    - (b) Multiply the total net floor area for each use by the parking floor area factor for such use, as specified in b below;
    - (c) Add the results of 2 above; this is the total adjusted net floor area.
  - (2) Parking floor area factors:
    - (a) Retail sales and services-2.0;
    - (b) Residential and apartment hotels-1.0;
    - (c) Manufacturing-3.0;
    - (d) Hotels and motor hotels-3.0;
    - (e) Business, professional and consumer service, and wholesale-1.0.

### CHAPTER III

#### SECTION 3.00. Severability.

~~In any section, subsection, paragraph, subprogram, clause, phrase, word, provision, or portion of this ordinance shall be held to be unconstitutional or invalid by any court of competent jurisdiction, such holding or decision shall not affect or impair the validity of this ordinance as a whole or any part thereof, other than the section, subsection, paragraph, subprogram, clause, phrase, word, provision or portion so held to be unconstitutional or invalid.~~

If any provision of this ordinance shall be held invalid, its invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

Now be it further ordained that this ordinance shall be in full force and effect from and after its adoption in compliance with IC 36-7-4.

April 25, 1994

Proposal No. 195, 1994 was retitled GENERAL ORDINANCE NO. 58, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 58, 1994  
METROPOLITAN PLAN COMMISSION  
DOCKET NO. 94-AO-2

A GENERAL ORDINANCE combining the Airport Special Use Zoning Ordinance and the Airspace District Zoning Ordinance to create the Airport Zoning Ordinance of Marion County, Indiana.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Airport Special Use Zoning Ordinance, as adopted under Metropolitan Development Commission Docket Number 61-AO-4 is hereby repealed.

SECTION 2. The language of the Airport Special Use Zoning Ordinance be combined into the Airspace District Zoning Ordinance, and retitled as the Airport Zoning Ordinance.

SECTION 3. The Airspace District Zoning Ordinance, as adopted under Metropolitan Development Commission Docket Numbers 62-AO-2, 63-AO-3 and 72-AO-1, as amended, pursuant to IC 36-7-4, be further amended by deleting the stricken-through language and inserting the underlined language as follows:

CHAPTER I  
AIRPORT SPECIAL USE DISTRICT

Sec. 1.00. Establishment of Airport Special Use District.

Airport Special Use District, which primary zoning district shall permit the following uses:

Public airports municipally owned or operated, including all necessary navigation and flight operation facilities, and accessory uses including, but not limited to, terminal, storage and servicing facilities for airplanes or other aircraft, air research laboratories and other accessory uses directly related to the operation of such airport and an integral part thereof, including but not limited to, transportation, restaurant, hotel or motel facilities and similar related services for the comfort and accommodation of air passengers and the public; subject to the requirements of Section 1.01.

Sec. 1.01. Airport Special Use District regulations.

1. No use permitted in the Airport Special Use District shall cause injury or damage to adjacent land uses, property or the public health, safety or welfare. Provided, however, that compliance by such public airport with all applicable safety and operational standards and regulations of the Federal Aviation Agency and other applicable Federal aviation regulatory authorities shall be deemed compliance with this sub-section's requirements, as applied to navigation and flight operational uses.
2. All uses within the Airport Special Use District shall be served by and have access only from interior access roads located within said District to carry vehicular traffic to and from major entrances and exits serving the airport, and designated and constructed in accordance with street standards as specified by the "Standard Specification", Indiana Department of Transportation (8-17-1-39), 1988 Edition, the Indiana Department of Transportation Supplemental Specifications, and the Indianapolis Department of Transportation (IDOT) Standards for Street and Bridge Design and Construction. In the event DOT specifications conflict with the Indiana Department of Transportation Standard Specifications, the most stringent specifications shall govern. The "Standard Specifications" of the Indiana Department of Transportation (IDOT) are incorporated into this ordinance by reference. Two copies of the "Standard Specifications" are on file and available for public inspection in the office of the Neighborhood and Development Services Division.
3. For each use permitted within the Airport Special Use District, adequate off-street parking area with concrete or bituminous paved surface shall be provided. Such parking area shall not be located within one hundred (100) feet of any boundary of the Airport Special Use District, unless a compact hedge or row of shrubbery of at least four (4) feet in height is provided between such parking area and District Boundary. In no case shall such parking area be located closer to a District boundary than ten (10) feet.



4. No building or structure, or part thereof, shall be located within one hundred (100) feet of any boundary of the Airport Special Use District, and such one hundred (100) foot buffer area shall be maintained in turf, plant material or as off-street parking area, as provided in sub-section (3) above.
5. Prior to Improvement Location Permit issuance for any building or structure within the Airport Special Use District, the plat or site plan for such building or structure, in conformity with all applicable zoning requirements, shall be filed with the Department of Metropolitan Development or Marion County, Indiana.

Sec. 1.02. Zoning maps designation.

Be it further ordained that all land within said district shall be designated upon the applicable zoning maps (adopted as a part of said zoning ordinances and Ordinance No. 8-1957) by the symbol "A" superimposed in the approximate geographic center of such district, the boundaries of which district to be designated and outlined.

CHAPTER II  
AIRSPACE DISTRICT

~~AN ORDINANCE to amend Marion County Council Ordinance No. 8-1957, as amended, the Zoning Ordinance for Marion County, Indiana and fixing a time when the same shall take effect.~~

~~WHEREAS the Metropolitan Plan Commission of Marion County, Indiana, has adopted various segments of its ORIGINAL COMPREHENSIVE OR MASTER PLAN OF MARION COUNTY, INDIANA including an AIRSPACE CONTROL PLAN FOR MARION COUNTY, adopted by Resolution 61-CPS-P-4 on December 27, 1961 and subsequently amended pursuant to Chapter 283 of the Indiana Acts of 1955, as amended;~~

~~WHEREAS the Indianapolis International Airport, Eagle Creek Airport, Speedway Airport, Indianapolis Metropolitan Airport, and Downtown Heliport of the Indianapolis Airport Authority exist as public airports and heliport, necessitating certain airspace controls applicable to land within Marion County, Indiana, for the prevention of such hazards and obstructions and the protection of lives and property therein;~~

~~Now, therefore, be it ordained by the City-County Council of the City of Indianapolis and of Marion County, Indiana, the Marion County Council Ordinance No. 8-1957, adopted by the Marion County Council on March 28, 1957, and subsequently amended pursuant to Chapter 283 of the Indiana Acts of 1955 and Chapter 173 of the Indiana Acts of 1969, and the Airport District Zoning Ordinance of Marion County, Indiana, Ordinance 62-AO-2, adopted as an amendment thereto, as amended by Ordinances 63-AO-3 and 72-AO-1, be amended in the following particulars:~~

~~That said Airport District Zoning Ordinance of Marion County, Indian, Ordinance 62-AO-2, as amended, be amended to read as follows:~~

AIRSPACE DISTRICT ZONING ORDINANCE  
OF MARION COUNTY, INDIANA  
81-AO-5

Sec. 1.01 2.00. Airspace District.

An Airspace District, a secondary zoning district, is hereby established for Marion County, Indiana, and land within Marion County, Indiana, as designated on the Airspace District Zoning Map (which map is attached hereto, incorporated herein by reference and made a part of this ordinance) is hereby zoned and classified as the Airspace District. The Airspace District shall consist of Airport Instrument and Non-Instrument Approach Surface Areas, Airport Transitional Surface Areas, Airport Horizontal Surface Areas and Conical Surface Areas, Heliport Approach Surface Areas and Heliport Transitional Surface Areas as defined in this ordinance and indicated on the Airspace District Zoning Map. [The map referred to in this section is not attached to this ordinance, but is on file in the office of the Clerk of the City-County Council.]

Sec. 2.01. Airspace District regulations.

The following regulations shall apply to all land within the Airspace District. These regulations shall be in addition to all other primary or secondary zoning district regulations applicable to said land, in case of conflict, the more restrictive regulations shall control.

A. *Use.*

1. *Prohibited Uses--Airport:* Within that part of the Airport Instrument and Airport Non-Instrument Approach Surface Areas and Airport Transitional Surface Areas of the Airspace District Zoning Map, which extend within ten thousand (10,000) feet from each end of a runway measured horizontally along the extended centerline of said runway, no building, structure or premises shall be erected, relocated or converted for use as a school, church, child caring institution, hospital, stadium, sports arena, public swimming pool, picnic grounds, public auditorium, theatre, assembly hall, carnival, amusement park, correctional institution or any other public assembly use.
2. *Prohibited uses--Heliport:* Within that part of the Heliport Surface Areas and Heliport Transitional Surface Areas of the Airspace District, as defined in this ordinance and designated on the Airspace District Zoning Map, which extend four thousand (4,000) feet from the designated land and take-off area of the heliport, no building, structure or premises shall be erected, relocated or converted for use as a school, church, child caring institution, hospital, stadium, sports arena, public swimming pool, picnic grounds, public auditorium, assembly hall, carnival, amusement park, correctional institution or any other public assembly use.

B. *Height limits--Airports:* Except as otherwise provided herein, no structure or tree shall be erected, altered, allowed to grow or maintain within the Airspace District to a height in excess of the following height limits herein established for the applicable Airport Instrument Approach Surface Area, Airport Non-Instrument Approach Surface Area, Airport Transitional Surface Area, Airport Horizontal Surface Area and Airport Conical Surface Area, as defined in this ordinance and designated on the Airspace District Zoning Map. (Such height limits shall be computed from the applicable runway elevation or airport elevation as designated on the Airspace District Zoning Map).

1. Height limits for the Airport Instrument Approach Surface Area shall be: One (1) foot in height for each one hundred (100) feet in horizontal distance beginning at a point two hundred (200) feet from the end of the instrument runway and extending to a distance of ten thousand two hundred (10,200) feet from the end of the runway; thence one (1) foot in height for each fifty (50) feet in horizontal distance to a point fifty thousand two hundred (50,200) feet from the end of the runway.
2. Height limits for the Airport Non-Instrument Approach Surface Area shall be: One (1) foot in height for each fifty (50) feet in horizontal distance beginning at a point two hundred (200) feet from the end of the non-instrument runway and extending to a point five thousand two hundred (5,200) feet from the end of the runway; thence one (1) foot in height for each sixteen (16) feet in horizontal distance to a horizontal distance of ten thousand two hundred (10,200) feet from the end of the runway.
3. Height limits for the Airport Transitional Surface Area shall be: One (1) foot in height for each seven (7) feet in horizontal distance beginning at a point two hundred fifty (250) feet from the centerline of non-instrument runways, measured at right angles to the longitudinal centerline of the runway, extending upward to a maximum height of one hundred fifty (150) feet above the established airport elevation as indicated on the Airspace District Zoning Map; one (1) foot vertical height for each seven (7) feet of horizontal distance measured from the outer lines of all Instrument and Non-Instrument Approach Surface Areas for the entire length of said Approach Surface Areas, extending to their intersection with the outer line of the Conical Surface Area; and, beyond said points of intersection, beginning at the outer lines of all Instrument Approach Surface Areas and extending a horizontal distance to five thousand (5,000) feet therefrom, measured at right angles to the continuation of the runway centerline, one (1) foot vertical height for each seven (7) feet of horizontal distance.
4. Height limit for the Airport Horizontal Surface Area shall be: One hundred fifty (150) feet above the established airport elevation as indicated on the Airspace District Zoning Map.
5. Height limit for the Airport Conical Surface Area shall be: One (1) foot in height for each twenty (20) feet of horizontal distance beginning at the periphery of the Horizontal Surface Area and measured perpendicularly to the periphery of the Horizontal Surface Area to a height of three hundred fifty (350) feet above the airport elevation.

Provided, however, if any area is subject to more than one of the above height limitations, the more restrictive limitation shall control. Provided, further, however, nothing in this ordinance shall be construed as prohibiting the erection, construction, growth or maintenance of any structure or tree to a height of fifty (50) feet or less above the surface of the land.



C. *Height limits--Heliports:* Except as otherwise provided herein, no structure or tree shall be erected, altered, allowed to grow or maintained within the Airspace District to a height in excess of the following height limits herein established for the applicable Heliport Approach Surface Area and Heliport Transitional Surface Area, as defined in this ordinance and designated on the Airspace District Zoning Map. (Such height limits shall be computed from the applicable heliport landings and take-off area elevation as designated on the Airspace District Zoning Map).

1. Height limit for the Heliport Approach Surface Area shall be: One (1) foot in height for each eight (8) feet in horizontal distance beginning at the end of the heliport primary surface (such primary surface coinciding in size and shape with the designated take-off and landing area of the heliport) with the same width as the primary surface and extending outward and upward from a horizontal distance of four thousand (4,000) feet where its width is five hundred (500) feet.
2. Height limit for the Heliport Transitional Surface Area shall be: One (1) foot in height for each two (2) feet in horizontal distance extending outward and upward from the lateral boundaries of the heliport primary surface and from the approach surface for a distance of two hundred fifty (250) feet measured horizontally from the centerline of the primary and approach surfaces.

Provided, however, if any area is subject to more than one of the above height limitations, the more restrictive limitation shall control. Provided further, however, nothing in this ordinance shall be construed as prohibiting the erection, construction, growth or maintenance of any structure or tree to a height of fifty (50) feet or less above the surface of the land.

D. *Performance standards.* The following performance standards shall apply to all land within the perimeter of the Airport Conical Surface Area and Heliport Transitional Surface area as defined in this ordinance and indicated on the Airspace District Zoning Map.

1. *Interface with communications:* No use shall create interface with any form of communication the primary purpose of which is for air navigation.
2. *Glare; marking and lighting of airspace hazards:*
  - a. All lights shall be located or shielded in such a manner that they do not interfere with runway, taxi, tower or any other airport and heliport lights or result in glare which may interfere with the use of the airport and heliport in landing, taking-off or maneuvering or aircraft.
  - b. Such markers and lights as may be required by the Indianapolis Airport Authority to indicate to air crews the presence of structures or trees constituting airspace hazards, as defined in their ordinance, shall be permitted.
3. *Smoke, dust, particulate matter:*
  - a. The emission of smoke, dust, particulate matter and any other airborne material shall be subject to the standards of Chapter 4 of the Code of Indianapolis, Marion County, Indiana and Regulations adopted pursuant thereto (a copy of which is on file in the office of the ~~Division of Planning and Zoning~~ Neighborhood and Development Services Division of the Department of Metropolitan Development of Marion County, Indiana, and which standards and regulations are hereby incorporated by reference and made a part hereof).
  - b. No use shall cause smoke, dust, particulate matter or airborne material of any kind to escape beyond the lot lines in a manner detrimental to or endangering the visibility of air crews using the airport and heliport in landing, taking-off or maneuvering of Aircraft.

E. Sec. 2.02. Construction of language and definitions.

A. Construction of language. The language of this ordinance shall be interpreted in accordance with the following regulations:

1. The particular shall control the general.
2. In the case of any difference of meaning or implication between the text of this ordinance and any illustration or diagram, the text shall control.

3. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
4. Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
5. A "building" or "structure" includes any part thereof.
6. The phrase "used for" includes "arranged for", "designed for", "intended for", "maintained for", or "occupied for".
7. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction "and", "or", or "either...or", the conjunction shall be interpreted as follows:
  - a. "And" indicates that all the connected items, conditions, provisions, or events shall apply.
  - b. "Or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.
  - c. "Either...or" indicates that all the connected items, conditions, provisions, or events shall apply singly but not in combination.

**B. Definitions.**

1. *Airspace hazard:* Any structure, tree, object or use of land which obstructs the airspace or is otherwise hazardous to the flight of aircraft in landing or taking-off at a public airport or heliport, as determined to constitute an "airspace", "airport" or "heliport" hazard either by the Federal Aviation Administration, the Aeronautics Commission of Indiana or the Indianapolis Airport Authority.
2. *Airport conical surface area:* The land area designated as "Airport Conical Surface Area", on the Airspace District Zoning Map, beginning at the periphery of the Horizontal Surface Area and thence extending outwardly a distance of four thousand (4,000) feet; said Conical Surface Area not including, however, the Instrument and Non-Instrument Approach Surface Areas and Transitional Surface area.
3. *Airport horizontal surface area:* The land area designated as "Airport Horizontal Surface Area", on the Airspace District Zoning Map, the perimeter of which is determined by projecting arcs from the center of the inner line of each Instrument and Non-Instrument Approach Surface Area (the dimension of said arcs for Instrument Approach Surface Areas being ten thousand (10,000) feet and for Non-Instrument approach connecting adjacent arcs by lines tangent thereto; not including, however, as a part of the Horizontal Surface Area, the Instrument and Non-Instrument Approach Surface Areas and Transitional Surface Area).
4. *Airport instrument approach surface area:* The land area designated as "Airport Instrument Approach Surface Area" on the Airspace District Zoning Map, located at each end of each instrument runway for landings and take-offs; said Surface Area having a width of one thousand (1,000) feet at a horizontal distance of two hundred (200) feet beyond each end of the runway and widening thereafter uniformly to a width of sixteen thousand (16,000) feet at a horizontal distance of fifty thousand two hundred (50,200) feet beyond each end of the runway, its centerline being the continuation of the runway centerline.
5. *Airport non-instrument approach surface area:* The land area designated as "Airport Non-Instrument Approach Surface Area" on the Air-Space District Zoning Map, located at each end of each non-instrument runway for non-instrument landings and take-offs; said Surface Area having a width of five hundred (500) feet at a horizontal distance of two hundred (200) feet beyond each end of the runway and widening thereafter uniformly to a width of three thousand five hundred (3,500) feet at a horizontal distance of ten thousand two hundred (10,200) feet beyond each end of the runway, its centerline being the continuation of the runway centerline.
6. *Airport landing area:* The area of the Airport used for the land take-off or taxiing of aircraft.
7. *Airport transitional surface area:* The land area designated as "Airport Transitional Surface Area" on the Airspace District Zoning Map, located adjacent to each instrument and non-instrument runway; said Surface Area extending outward as indicated on the Airspace District Zoning Map from a line two hundred fifty (250) feet on either side of the centerline of a non-instrument runway, for the length of



such runway plus two hundred (200) feet at each end thereof, to the inner line of the Horizontal Surface Area, and from a line five hundred (500) feet of either side of the centerline of an instrument runway plus two hundred (200) feet at each end thereof, to the inner line of the Horizontal Surface Area; further symmetrically located adjacent to each Instrument and Non-Instrument Runway Approach Surface Area, on each side thereof, having variable widths, as indicated on the Airspace District Zoning Map, and extending the entire length of said Approach Surface Areas to their intersection with the outline of the Conical Surface Area; and further located beyond said points of intersection, beginning at the out lines of all Instrument Approach Surface Areas and extending a horizontal distance of five thousand (5,000) feet therefrom, measured at right angles to the continuation of the runway centerline, as indicated on the Airspace District Zoning Map.

8. *Heliport approach surface area:* The land are designated as "Heliport Approach Surface Area" on the Airspace District Zoning Map, located at the edge of the heliport landing and take-off area; and widening thereafter uniformly to a width of five hundred (500) feet at a horizontal distance of four thousand (4,000) feet from the landing and take-off area.
9. *Heliport landing and take-off area:* The area of the heliport used for the landing and take-off of helicopters.
10. *Heliport primary surface area:* That area coinciding in size and shape with the Heliport Landing Take-off area.
11. *Heliport transitional surface area:* The land area designated as Transitional Surface Area on the Airspace District Zoning Map, located adjacent to the heliport primary surface; said surface extends outward perpendicular to the centerline of the primary and approach surfaces for a horizontal distance of two hundred and fifty (250) feet.
12. *Instrument runway:* A runway equipped or to be equipped with electronic or visual air navigation aids adequate to permit the landing of aircraft under restricted visibility conditions.
13. *Non-instrument runway:* A runway other than an instrument runway.
14. *Public airport or heliport:* An airport or heliport publicly owned or operated, designated as a "Public Airport" or "Public Heliport" on the Airspace District Zoning Map, for which an Airspace District is established by this ordinance.
15. *Runway:* The surface of the airport used for landing and taking off of aircraft.
16. *Structure:* An object constructed or installed by man, including but without limitation, buildings, towers, smokestacks and overhead transmission lines.

### CHAPTER III

#### Sec. 3.00. Severability.

If any provision of this ordinance shall be held invalid, its invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

Now be it further ordained that an emergency exists for the passage of this ordinance and that the same shall be in full force and effect from and after its passage this ordinance shall be in full force and effect from and after adoption in compliance with IC 36-7-4.

Proposal No. 196, 1994 was retitled GENERAL ORDINANCE NO. 59, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 59, 1994  
METROPOLITAN DEVELOPMENT COMMISSION  
DOCKET NO. 94-AO-3

A GENERAL ORDINANCE creating the Special Districts Zoning Ordinance of Marion County, Indiana, by repealing the Park Districts Zoning Ordinance; the Hospital Districts Zoning Ordinance; and the University

April 25, 1994

Quarter Zoning Ordinance and including the language of each ordinance into the combined new Special Districts Zoning Ordinance.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Park Districts Zoning Ordinance, as adopted under Metropolitan Development Commission Docket Number 69-AO-2, pursuant to IC 36-7-4, is hereby repealed.

SECTION 2. The Hospital Districts Zoning Ordinance, as adopted under Metropolitan Development Commission Docket Numbers 68-AO-8 and 73-AO-3, as amended, pursuant to IC 36-7-4, is hereby repealed.

SECTION 3. The University Quarter Zoning Ordinance, as adopted under Metropolitan Development Commission Docket Numbers 66-AO-6 and 73-AO-5, as amended, pursuant to IC-36-7-4, is hereby repealed.

SECTION 4. The language of the former Park Districts Zoning Ordinance, Hospital Districts Zoning Ordinance, and University Quarter Zoning Ordinance shall be recodified and combined into the new Special Districts Zoning Ordinance in the following manner:

- a. delete the stricken-through language from the former individual ordinances;
- b. insert the underlined language into the applicable sections of the ordinance; and,
- c. insert non-altered language into the applicable sections of the ordinance.

CHAPTER I

Sec. 1.00. Establishment of Special Zoning Districts.

The following primary Special Zoning Districts for Indianapolis/Marion County are hereby established, and land within Indianapolis is hereby classified, divided and zoned into said districts as designated on the Zoning Base Maps, which maps are attached hereto, incorporated herein by reference and made a part of this ordinance:

PARK DISTRICTS

<u>PK-1</u>	<u>Park District One</u>
<u>PK-2</u>	<u>Park Perimeter-Special District Two</u>

HOSPITAL DISTRICTS

<u>HD-1</u>	<u>Hospital District One</u>
<u>HD-2</u>	<u>Hospital District Two</u>

UNIVERSITY QUARTER DISTRICTS

<u>UQ-1</u>	<u>University Quarter District One</u>
<u>UQ-2(B)</u>	<u>University Quarter District Two (Butler University)</u>

CHAPTER II

Sec.2.00. General regulations.

A. Applicability of regulations. The following regulations shall apply to all land with the Special Zoning Districts. After the effective date of this ordinance:

1. With the exception of legally established nonconforming uses, no land, building, structure, premises or part thereof shall be used or occupied except in conformity with these regulations and for uses permitted by this ordinance.
2. No building, structure, premises or part thereof shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated except in conformity with these regulations and for uses permitted by this ordinance.



Provided, however, legally established nonconforming uses may be reconstructed if damaged or partially destroyed by fire or other disaster when such damage or destruction does not exceed two-thirds (2/3) of the gross floor area of the structure or facilities affected.

B. Performance standards. All uses established or placed into operation after the effective date of this ordinance shall comply with the following performance standards. No use in existence on the effective date of this ordinance shall be so altered or modified as to conflict with these standards.

1. Vibration. No use shall cause earth vibrations or concussions detectable beyond the lot lines without the aid of instruments.
2. Smoke, dust and particulate matter. Smoke, dust, particulate matter and any other airborne material shall be subject to the standards and regulations of Chapter Four of the Municipal Code of the City of Indianapolis, which ordinance is on file in the office of the Neighborhood and Development Services Division of the Department of Metropolitan Development of Marion County, Indiana, and is hereby incorporated by reference and made a part hereof.
3. Noxious matter. No use shall discharge across the lot lines, noxious, toxic or corrosive matter, fumes or gases in such concentration as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.
4. Odor. No use shall emit across the lot lines odor in such quantities as to be readily detectable at any point along the lot lines and as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.
5. Sound. No use shall produce sound in such a manner as to endanger the public health, safety or welfare or cause injury to property. Sound shall be muffled so as not to become detrimental due to intermittence, beat frequency, shrillness or vibration.
6. Heat and glare. No use shall produce heat or glare creating a hazard perceptible from any point beyond the lot lines.
7. Waste matter. No use shall accumulate within the lot or discharge beyond the lot lines any waste matter, whether liquid or solid, in violation of the applicable standards and regulations of the Division of Public Health of the Health and Hospital corporation of Marion County, Indiana, the Indiana State Board of Health, the Stream Pollution Control Board of the State of Indiana and the Department of Public Works of Indianapolis, Indiana, or in such a manner as to endanger the public health, safety or welfare or cause injury to property.

#### CHAPTER I

#### SECTION 1.00 — ESTABLISHMENT OF PARK ZONING DISTRICTS — PERMITTED USES

A. The following primary PARK ZONING DISTRICT for Marion County, Indiana, is hereby established, and land within Marion County is hereby classified, divided and zoned into said district as designated on the PARK DISTRICT ZONING MAPS, which Maps are attached hereto, incorporated herein by reference and made a part of this ordinance. No use shall be permitted in said DISTRICT other than the following permitted use or uses:

##### Sec. 2.01. Park District regulations.

##### A. Permitted Park District uses.

1. Park District One (PK-1) uses. Permitted Use. Public playgrounds, playfields, ball fields, ball courts, tennis courts, spray or wading pools, outdoor swimming pools, ice skating, picnicking, boating, fishing, wild life refuges, botanical gardens, arboreta, scenic areas, greenways, bridle paths, hiking and bicycle trails, and such other primary park or recreational uses, or uses incidental and accessory thereto, as are included within any site and development plan filed with and approved by the Metropolitan ~~Plan~~ Development Commission as hereinafter provided.

Provided, however, that no use not specifically enumerated, and no nor any building or structure shall hereafter be constructed or used on any land in the PK-1 District for any purpose other than lawfully existed on or prior to the date of the adoption hereof May 7, 1969 until a site and development plan

April 25, 1994

for said land and all Park District lands of which it is a common tract (showing the location of existing and proposed park uses, including the location and proposed use of such building or structure to be built or used, or the proposed use not specifically enumerated as a permitted use) shall have been filed with and approved by the Metropolitan ~~Plan~~ Development Commission.

The Metropolitan ~~Plan~~ Development Commission may consider and act upon any ~~such~~ proposed site and development plan, and approve the same in whole or in part, at any public meeting of the Commission. Public notice ~~thereof of such meeting~~ shall not be required; however, the governmental unit or department filing such plan shall have the right to appear and be heard. Such site and development plan, and uses and structures therein, shall:

- (1) a. Be in conformity with the Comprehensive ~~or Master~~ Plan of Marion County, Indiana, including the Comprehensive Park Plan for Marion County, Indiana, adopted by ~~the~~ Metropolitan ~~Plan~~ Development Commission Resolution 65-CPS-R-2, as amended;
- (2) b. Create and maintain a desirable, efficient and economical use of park land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the park and with adjacent uses;
- (3) c. Provide sufficient and adequate access, parking and loading areas;
- (4) d. Provide traffic control and street plan integration with existing and planned public streets and interior access roads;
- (5) e. Provide adequately for sanitation, drainage and public utilities; and
- (6) f. allocate adequate sites for all uses proposed--the design, character, grade, location, and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive ~~or Master~~ Plan for Marion County, Indiana, including said Comprehensive Park Plan for Marion County, Indiana.

~~B. The following primary PARK PERIMETER SPECIAL DISTRICT for Marion County, Indiana, is hereby established, and land within Marion County is hereby classified, divided and zoned into said district as designated on the PARK DISTRICT ZONING MAPS, which Maps are attached hereto, incorporated herein by reference and made a part of this ordinance. No use shall be permitted in said DISTRICT other than the following permitted use or uses:~~

1 2. Permitted Park Perimeter-Special District Two (PK-2) uses. Permitted uses, as approved by the Metropolitan ~~Plan~~ Development Commission as hereinafter provided:

- 1 a. Any dwelling use, including single-family or multi-family, attached or detached dwellings, as approved by the Metropolitan ~~Plan~~ Development Commission as hereinafter provided and subject to all standards, requirements and regulations of the Dwelling Districts Zoning Ordinance of Marion County, Indiana, ~~66-AO-289-AO-2, as amended~~, specified in the petition for such Commission approval.
- 2 b. Any commercial office use, office complex, commercial office-apartment complex, or other planned complex, which may include business, professional and consumer service offices, retail sales and service uses or other appropriate uses and accessory facilities therefor, as approved by the Metropolitan ~~Plan~~ Development Commission as hereinafter provided.
- 3 c. Regional, community or neighborhood shopping center, commercial center - office - apartment complex, apartment hotels, hotels, ~~motor hotels~~ motels or other similar single commercial use or multi-use planned complex, including business, professional and consumer service offices, retail sales and service uses, or other appropriate uses and accessory facilities therefor, as approved by the Metropolitan ~~Plan~~ Development Commission as hereinafter provided.
- 4 d. Office-commercial-industrial research and development park or complex or other commercial-industrial use or combination thereof (subject to all standards, requirements and regulations of section 2.05 of the Industrial Zoning Ordinance, (I-I-U Restricted Industrial Urban District Regulations) of Ordinance 63-AO-4, ~~the INDUSTRIAL ZONING ORDINANCE of~~



~~Marion County, Indiana~~, as amended), and accessory facilities therefor, as approved by the Metropolitan ~~Plan Development~~ Commission as hereinafter provided.

- 5 e. Public and semipublic structures and uses, parks and open space, including but not limited to museums, auditoriums, theaters, amphitheaters, exhibition halls or exhibition spaces, libraries, civic centers, university or college campus or other educational office complexes, malls, greenways, or other appropriate uses and accessory facilities therefor, as approved by the Metropolitan ~~Plan Development~~ Commission as hereinafter provided.
- 6 f. Residential-recreational-commercial planned complex, including multi-family dwellings, townhouses, condominium, cluster-housing or other planned residential development in combination with open space, recreational-commercial development including golf course, country club, riding stable, tennis or swimming club, marina, lake development or other recreational, public or semi-public, commercial or non-commercial uses, and accessory facilities therefor, as approved by the Metropolitan ~~Plan Development~~ Commission as hereinafter provided.
- 7 g. Any other appropriate planned land use, complex or combination of land uses, as approved by the Metropolitan ~~Plan Development~~ Commission as hereinafter provided.

Provided, however, that no use, building or structure shall hereafter be established or constructed on any land in the PK-2 District until such proposed use, and a site and development plan for the use ~~thereof~~ shall have been filed with and approved by the Metropolitan ~~Plan Development~~ Commission.

The Metropolitan ~~Plan Development~~ Commission may consider and act upon any ~~such~~ proposed use and site and development plan ~~therefor~~, approve the same in whole or in part, and impose additional development standards, requirements or conditions thereon at any public hearing of the Commission. Public notice ~~thereof~~ and notice to adjoining land owners by the petitioner shall be required in accordance with the Commission's ~~Rules of Procedure~~ shall be required. Such site and development plan, and proposed use, building and structure shall:

- (1) Be consistent with the Comprehensive ~~or Master~~ Plan of Marion County, Indiana, including the Comprehensive Park Plan for Marion County, Indiana, adopted by the Metropolitan Plan Commission Resolution 65-CPS-R-2, as amended;
- (2) Create and maintain a desirable, efficient and economical land use with high functional and aesthetic value, attractiveness and compatibility of land uses, with adjacent park and other land uses;
- (3) Provide sufficient and adequate access, parking and loading areas;
- (4) Provide adequate traffic control and street plan integration with existing and planned public streets and interior access roads;
- (5) Provide adequately for sanitation, drainage and public utilities; and
- (6) Allocate adequate sites for all uses proposed — the design, character, grade, location, and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive ~~or Master~~ Plan of Marion County, Indiana, including said Comprehensive Park Plan for Marion County, Indiana.

All land use within the PK-2 DISTRICT shall be subject to all requirements of ~~Section 1, B, 3 of The Improvement Location Permit Ordinance, 68-AO-11, as amended, the IMPROVEMENT LOCATION PERMIT ORDINANCE of Marion County, Indiana~~, relative to plans (including exhibits, site plans, renderings, plans for buildings, signs or other structures, fencing, landscaping, off-street parking and loading areas, utilities, drainage, sewage or other developmental or land use plans) and ~~and~~ covenants, or commitments filed, made or presented in support of such petition.

- © No use, building or structure shall be established or erected in any PARK DISTRICT without an ~~Improvement Location Permit~~. An Improvement Location Permit ~~and said permit~~ shall not be issued until the proposed use and said site and development plan, or such part thereof as includes the

proposed use, building or structure, shall have been approved by the Metropolitan ~~Plan~~ Development Commission. Applications for ~~i~~Improvement ~~l~~Location ~~p~~Permit shall be made upon Department of Metropolitan ~~Planning~~ Department forms and shall include all information specified by such forms.

## CHAPTER II

### SECTION 2.00 — PARK DISTRICT REGULATIONS

~~The following regulations shall apply to all land within the PK-1 and PK-2 DISTRICTS.~~

#### A. After the effective date of this ordinance:

- ~~1. With the exception of legally established nonconforming uses, no land, building, structure, premises or part thereof shall be used or occupied except in conformity with these regulations and for uses permitted by this ordinance.~~
- ~~2. No building, structure, premises or part thereof shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated except in conformity with these regulations and for uses permitted by this ordinance.~~

~~Provided, however, legally established nonconforming uses may be reconstructed if damaged or partially destroyed by fire or other disaster when such damage or destruction does not exceed two-thirds (2/3) of the gross floor area of the structures or facilities affected.~~

#### B. ~~PK-1 DEVELOPMENT STANDARDS~~

B. Park District One (PK-1) development standards. The following development standards shall apply to all land within Park District One:

1. Location. Public parks larger than ten (10) acres shall be located with direct access to and frontage on a street designated on the Official Thoroughfare Plan of Marion County, Indiana (adopted March 6, 1991), as a collector, primary or secondary thoroughfare, parkway, expressway or freeway.
2. Minimum lot area. There shall be no minimum lot area.
3. Setback lines and minimum front yards. ~~a. Setback lines and minimum front yard.~~ Front Yards, having a minimum depth in accordance with the following setback requirements shall be provided along all street right-of-way lines:
  - (1) Expressway, Parkway or Primary Thoroughfare (as designated on the Official Thoroughfare Plan of Marion County, Indiana, adopted March 6, 1991). No part of any structure (~~except an eave or cornice overhang not exceeding 4 feet~~) shall be built closer than sixty (60) feet to any right-of-way line of an expressway, parkway or primary thoroughfare.
  - (2) Secondary Thoroughfare (as designated on the Official Thoroughfare Plan of Marion County, Indiana, adopted March 6, 1991). No part of any structure (~~except an eave or cornice overhang not exceeding 4 feet~~) shall be built closer than forty (40) feet to any right-of-way line of a secondary thoroughfare.
  - (3) Collector Street. No part of any structure (~~except an eave or cornice overhang not exceeding 4 feet~~) shall be built closer than thirty (30) feet to any right-of-way line of a collector street.
  - (4) Local Street, Marginal Access Street or Cul-de-Sac. No part of any structure (~~except an eave or cornice overhang not exceeding 4 feet~~) shall be built closer than twenty-five (25) feet to any right-of-way line of a local street, marginal access street, or cul-de-sac, with the exception of the vehicular turn-around thereof. No part of any structure (~~except an eave or cornice overhang not exceeding 4 feet~~) shall be built closer than twenty (20) feet to any right-of-way line of the vehicular turnaround of a cul-de-sac.

Provided, however, that along the right-of-way line of any street, highway, or thoroughfare where access rights thereto have been purchased or otherwise acquired by the governmental agency having jurisdiction thereof, yards having a minimum depth of thirty (30) feet shall be provided.



Exception: Eaves, cornices or other laterally-supported extensions may extend into the front yard setback a maximum of four (4) feet.

4. *Maximum height.* Thirty-five (35) feet.
5. *Off-street parking.*
  - a. Adequate off-street parking spaces shall be provided for the various PK-1 District park activities and uses.
  - b. Off-street parking area for all uses in the PK-1 District shall be developed and maintained in accordance with the following requirements:
    - (1) Off-street parking entrances and exits shall be located a minimum distance of twenty-five (25) feet from the nearest point of two (2) intersecting street right-of-way lines. Such access cuts from a public street shall further conform to all requirements of the traffic engineering department having jurisdiction thereof.
    - (2) The surface of parking areas shall be graded and drained in such a manner that there will be no free flow of water onto either adjacent properties or sidewalks.
    - (3) Lighting facilities used to illuminate parking areas shall be so located, shielded and directed upon the parking area that they do not glare onto or interfere with street traffic, adjacent buildings, or adjacent users.
  - c. The distance of driveways and parking areas from any adjacent property line shall be at least twenty (20) feet.
6. *Signs.* Signs and sign structures shall comply with the Sign Regulations of Marion County, Indiana, 71-AO-4, as amended.
  - a. ~~The surface area of all identification signs shall be not greater than an amount equal to one (1) square foot of sign area for each lineal foot of street frontage.~~
  - b. ~~All identification and directional signs shall be setback from public street right of way lines at least twenty-five (25) feet.~~

~~C. PK I AND PK II PERFORMANCE STANDARDS All uses established or placed into operation after the effective date of this ordinance shall comply with the following performance standards. No use in existence on the effective date of this ordinance shall be so altered or modified as to conflict with these standards.~~

- ~~1. VIBRATION. No use shall cause earth vibrations or concussions detectable beyond the lot lines without the aid of instruments.~~
- ~~2. SMOKE, DUST & PARTICULATE MATTER. Smoke, dust, particulate matter, and any other air borne material shall be subject to the standards and regulations of General Ordinance No. 109, 1967, Air Pollution, City of Indianapolis, which ordinance is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and is hereby incorporated by reference and made a part hereof.~~
- ~~3. DUST. No use shall cause dust, dirt or fly ash of any kind to escape beyond the lot lines in a manner detrimental to or endangering the public health, safety or welfare or causing injury to property.~~
- ~~4. NOXIOUS MATTER. No use shall discharge across the lot lines noxious, toxic or corrosive matter, fumes or gases in such concentration as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.~~
- ~~5. ODOR. No use shall emit across the lot lines odor in such quantities as to be readily detectable at any point along the lot lines and as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.~~

April 25, 1994

- ~~6. SOUND No use shall produce sound in such a manner as to endanger the public health, safety or welfare or cause injury to property. Sound shall be muffled so as not to become detrimental due to intermittence, beat frequency, shrillness or vibration.~~
- ~~7. HEAT AND GLARE No use shall produce heat or glare creating a hazard perceptible from any point beyond the lot lines.~~
- ~~8. WASTE MATTER No use shall accumulate within the lot or discharge beyond the lot lines any waste matter, whether liquid or solid, in violation of the applicable standards and regulations of the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana, the Indiana State Board of Health, the Stream Pollution Control Board of the State of Indiana, and the Board of Sanitary Commissioners of Indianapolis, Indiana, or in such a manner as to endanger the public health, safety, or welfare or cause injury to property.~~

### CHAPTER III

#### SECTION 3.00 ~~SEVERABILITY~~

~~If any section, subsection, paragraph, subparagraph, clause, phrase, word, provision or portion of this ordinance shall be held to be unconstitutional or invalid by any court of competent jurisdiction, such holding or decision shall not affect or impair the validity of this ordinance as a whole or any part thereof, other than the section, subsection, paragraph, subparagraph, clause, phrase, word, provision or portion so held to be unconstitutional or invalid.~~

~~NOW BE IT FURTHER ORDAINED that an emergency exists for the passage of this ordinance and that the same shall be in full force and effect from and after this date.~~

~~Dwight L. Cottingham~~

~~Beurt R. SerVaas~~

~~William K. Byrum~~

~~Rozelle Boyd~~

~~Wm. A. Brown~~

~~THE MARION COUNTY COUNCIL OF  
MARION COUNTY, INDIANA~~

~~DATED: May 7, 1969~~

~~ATTEST: Edward G. Hoffmann, Jr.~~

~~AUDITOR OF MARION COUNTY, INDIANA~~

#### METROPOLITAN PLAN COMMISSION

#### HOSPITAL DISTRICTS

#### ZONING ORDINANCE

#### OF

#### MARION COUNTY, INDIANA

~~WHEREAS, Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, established a single planning and zoning authority in counties having first-class cities and grants certain powers relative to the zoning and districting of land to the Metropolitan Plan Commission and the County Council of such counties having first-class cities, in order to unify the planning and zoning functions thereof; and~~

~~WHEREAS, the Metropolitan Plan Commission of Marion County, Indiana, has adopted and certified, pursuant to Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, various segments of its ORIGINAL COMPREHENSIVE OR MASTER PLAN OF MARION COUNTY, INDIANA; and~~

~~WHEREAS, said Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, empowers the Metropolitan Plan Commission of Marion County, Indiana, after such comprehensive plan certification, to recommend to the County Council an ordinance or ordinances for the zoning or districting of all lands within the County to the end that adequate light, air, convenience of access and safety from fire, flood and other danger may be secured; that congestion in the public streets may be lessened or avoided; that property values may be preserved; that the public health, safety, comfort, morals, convenience and general welfare may be promoted;~~



~~NOW THEREFORE BE IT ORDAINED by the Marion County Council of Marion County, Indiana, that Marion County Council Ordinance No. 8-1957, adopted by the Marion County Council on March 28, 1957, and subsequently amended pursuant to Section 85 of Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, and the Hospital Districts Zoning Ordinance of Marion County, Indiana, Ordinance 68-AO-8, adopted as an amendment thereto, be amended to read as follows:~~

CHAPTER 1

SECTION 1.00 ESTABLISHMENT OF HOSPITAL ZONING DISTRICTS — PERMITTED USES —

~~A. The following primary HOSPITAL ZONING DISTRICTS for Marion County, Indiana, are hereby established, and land within said County is hereby classified, divided and zoned into said districts as designated on the HOSPITAL DISTRICTS ZONING MAP, which MAP is attached hereto, incorporated herein by reference and made a part of this ordinance. No use shall be permitted in said DISTRICTS other than the following permitted uses.~~

Sec. 2.02. Hospital District regulations.

Statements of purpose:

Hospital District One (HD-1).

The HD-1 zoning category is designed to permit and facilitate the development, expansion, and modernization of a major hospital complex or campus, in which a diversity of uses, functions, and facilities is necessary to best perform the hospital's various services to the public; and, further to permit appropriate land use modifications as necessary to facilitate the highest level of such service.

Hospital District Two (HD-2).

The HD-2 zoning category is designed to: (1) permit and facilitate the logical association of a diversity of land uses in close proximity to a major hospital complex; (2) to provide adequate land area for such hospital-related uses; and, (3) to assure a quality and character of site development that will create the environment of safety, quietness, attractiveness and convenience compatible with such hospital complex.

A. Permitted Hospital District uses.

1. Permitted Hospital District One (HD-1) uses. All uses permitted within the HD-1 District shall be subject to the Metropolitan Development Commission's approval, as included with a required site and development plan filed with, and approved by, said Commission as specified in Section 2.02, B.

<u>1. HOSPITAL DISTRICT ONE (HD-1)</u>	<u>PERMITTED HD-1 USES</u>
<u>The HD-1 zoning category is</u>	<u>(All uses permitted within</u>
<u>designed to permit and</u>	<u>the HD-1 DISTRICT shall be</u>
<u>facilitate the development,</u>	<u>subject to the Metropolitan</u>
<u>expansion, and modernization</u>	<u>Development Commission's</u>
<u>of a major hospital complex</u>	<u>approval, as included within</u>
<u>or campus, in which a</u>	<u>a required site and develop-</u>
<u>diversity of uses, functions,</u>	<u>ment plan filed with and</u>
<u>and facilities is necessary</u>	<u>approved by said Commission</u>
<u>to best perform the</u>	<u>as hereinafter provided.</u>
<u>hospital's various services-</u>	
<u>to the public; and, further</u>	<u>HOSPITAL COMPLEX OR HOSPITAL-</u>
<u>to permit appropriate land</u>	<u>CAMPUS, including the follow-</u>
<u>use modifications as</u>	<u>ing accessory uses operated-</u>
<u>necessary to facilitate the</u>	<u>by or for the hospital, and</u>
<u>highest level of such service</u>	<u>integrally related thereto:</u>

Hospital complex or hospital campus, including the following accessory uses operated by or for the hospital, and integrally related thereto:

- 4 a. Administrative and professional staff offices.

- 5 b. Apartments and dormitories for hospital staff, personnel and students.
- 3 c. Cafeterias, gift shops, book stores and other similar convenience functions.
- 2 d. Medical, research, multi-service convalescent and educational facilities and buildings, and related functions such as laboratories, auditoriums, class and recreation facilities.
- 6 e. Off-street parking lots and garages for employees, staff, and visitors; and off-street loading facilities.
- 4 f. Warehouses, maintenance buildings, laundries, food preparation facilities, and utilities structures.
- 7 g. Other similar uses and facilities.

~~Provided, however, that no use, building or structure shall hereafter be established, constructed or used on any land in the HD-1 District for any purpose other than lawfully existed on the date of the adoption hereof until a site and development plan for said land, including the proposed Hospital District use or uses shall have been filed with and approved by the Metropolitan Development Commission.~~

~~Said site and development plan shall include layout and elevation plans for all proposed buildings and structures, and shall indicate:~~

- ~~(1) Proposed Hospital District uses.~~
- ~~(2) Any existing uses, building and structures.~~
- ~~(3) Proposed buildings and structures.~~
- ~~(4) Off street parking layouts.~~
- ~~(5) Vehicular entrances and exits and turn-off lanes.~~
- ~~(6) Setbacks.~~
- ~~(7) Landscaping, screens, walls, fences.~~
- ~~(8) Signs, including location, size and design thereof.~~
- ~~(9) Sewage disposal facilities.~~
- ~~(10) Storm drainage facilities.~~
- ~~(11) Other utilities if above ground facilities are needed.~~

~~The Metropolitan Development Commission may consider and act upon such proposed use and site and development plan, approved the same in whole or in part, and impose additional development standards, requirements or conditions thereon at any public meeting of the Commission. Public notice thereof shall not be required; however, the owner/petitioner filing such plan shall have the right to appear and be heard. Such site and development plan, proposed use, and building or structure shall:~~

- ~~(1) be so designed as to create a superior land development plan, in conformity with the Comprehensive or Master Plan of Marion County, Indiana.~~
- ~~(2) create and maintain a desirable, efficient and economical use of land and high functional and aesthetic value, attractiveness and compatibility of land uses, within the Hospital District and with adjacent uses;~~
- ~~(3) provide sufficient and adequate access, parking and loading areas;~~
- ~~(4) provide traffic control and street plan integration with existing and planned public streets and interior access roads;~~
- ~~(5) provide adequately for sanitation, drainage and public utilities; and~~
- ~~(6) allocate adequate sites for all uses proposed — the design, character, grade, location and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive or Master Plan of Marion County, Indiana.~~

- 2. Permitted hospital district two (HD-2) uses. All uses permitted within the HD-2 District shall be subject to the Metropolitan Development Commission's approval, as included within a required site and development plan filed with, and approved by, said Commission as specified in Section 2.02, B.

2. HOSPITAL DISTRICT TWO (HD-2) PERMITTED HD-2 USES



The HD-2 zoning category is ~~designed to (1) permit and facilitate the logical association of a diversity of land uses in close proximity to a major hospital complex, (2) to provide adequate land area for such hospital-related uses, and (3) to assure a quality and character of site development that will create the environment of safety, quietness, attractiveness and convenience compatible with such hospital complex.~~ ~~(All uses permitted with the HD-2 DISTRICT shall be subject to the Metropolitan Development Commission's approval, as included within a required site and development plan filed with and approved by said Commission as hereinafter provided.)~~

- 4 a. Apartments, dormitories, and other higher-intensity, permanent or transient residential structures.
- 6 b. Commercial parking lots and garages.
- 2 c. Medical laboratories; surgical and medical supply firms; hospital and sickroom equipment sales and rental.
- 3 d. Nursing, convalescent and retirement homes.
- 1 e. Offices for physicians, dentists, and other professions dealing with public health.
- 5 f. Pharmacies; florists; card and gift shops; restaurants; uniform clothing stores; and similar convenience and specialty sales and service businesses.
- 7 g. Other similar hospital-related or - oriented uses.

B. Site and development plan. ~~Provided, however, that no~~ No use, building or structure shall hereafter be established, constructed or used on any land in the HD-1 or HD-2 District for any purpose other than lawfully existed on or prior to July 17, 1968 the date of the adoption hereof until a site and development plan for said land, including the proposed Hospital District use or uses shall have been filed with and approved by the Metropolitan Development Commission.

1. Site and development plan requirements. Said site and development plan shall include layout and elevation plans for all proposed buildings and structures, and shall indicate:
  - (1) a. Proposed Hospital District uses.
  - (2) b. Any existing uses, buildings and structures.
  - (3) c. Proposed buildings and structures.
  - (4) d. Off-street parking layouts.
  - (5) e. Vehicular entrances and exits and turn-off lanes.
  - (6) f. Setbacks.
  - (7) g. Landscaping, screens, walls, fences.
  - (8) h. Signs, including location, size and design thereof.
  - (9) i. Sewage disposal facilities.
  - (10) j. Storm drainage facilities.
  - (11) k. Other utilities if above ground facilities are needed.

April 25, 1994

The Metropolitan Development Commission may consider and act upon any such proposed use and site and development plan, approve the same in whole or in part, and impose additional development standards, requirements or conditions thereon at any public hearing of the Commission.

Public notice

HD-1. Public notice of a public hearing of the Commission regarding site and development plan approval shall not be required; however, the owner/petitioner filing such plan shall have the right to appear and be heard.

HD-2. Public notice of a public hearing of the Commission regarding site and development plan approval, thereof and notice by the petitioner to adjoining land owners (including, additionally, the major hospital of the adjacent HD-1 District) shall be required in accordance with the Commission's Rules of Procedure shall be required.

Such site and development plan, proposed use, and building or structure shall:

- (1) : be so designed as to create a superior land development plan, in conformity with the Comprehensive ~~or Master~~ Plan of Marion County, Indiana.
  - (2) : create and maintain a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the Hospital District and with adjacent uses;
  - (3) : provide sufficient and adequate access, parking and loading areas;
  - (4) : provide traffic control and street plan integration with existing and planned public streets and interior roads;
  - (5) : provide adequately for sanitation, drainage and public utilities; and
  - (6) : allocate adequate sites for all uses proposed -- the design, character, grade, location and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive ~~or Master~~ Plan of Marion County, Indiana.
2. Improvement location permit requirements. ~~B.~~ No building or structure shall be erected in the HD-1 or HD-2 District without an ~~Improvement~~ ~~Location~~ ~~Permit~~. Said permit shall not be issued until the site and development plan, including the proposed Hospital District use or uses and plans for such building or structure, shall have been approved by the Metropolitan Development Commission in accordance with ~~sSection 1.00 A 2.02.~~ ~~B.~~ Applications for ~~an~~ ~~Improvement~~ ~~Location~~ ~~Permit~~ shall be made upon ~~Department of Metropolitan Development~~ ~~Department~~ forms and shall include all information specified by such forms.

CHAPTER II

SECTION 2.00 HOSPITAL DISTRICT REGULATIONS

~~The following regulations shall apply to all land within the Hospital Districts.~~

~~A. After the effective date of this ordinance:~~

- ~~1. With the exception of legally established nonconforming uses, no land, building, structure, premises or part thereof shall be used or occupied except in conformity with these regulations and for uses permitted by this ordinance.~~
- ~~2. No building, structure, premises or part thereof shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated except in conformity with these regulations and for uses permitted by this ordinance.~~

~~Provided, however, legally established nonconforming uses may be reconstructed if damaged or partially destroyed by fire or other disaster when such damage or destruction does not exceed two-thirds (2/3) of the gross floor area of the structures or facilities affected.~~



B. C. Hospital District development standards. All development within the Hospital Districts shall be in accordance with the site and development plan, as approved by the Metropolitan Plan Development Commission in accordance with sSection 4.00 2.02, B.

C. HOSPITAL DISTRICT PERFORMANCE STANDARDS

~~All uses established or placed into operation after the effective date of this ordinance shall comply with the following performance standards. No use in existence on the effective date of this ordinance shall be so altered or modified as to conflict with these standards.~~

- ~~1. VIBRATION — No use shall cause earth vibrations or concussions detectable beyond the lot lines without the aid of instruments.~~
- ~~2. SMOKE — No use shall emit smoke of a density equal to or greater than No. 2 according to the Ringlemann Scale, as now published and used by the U.S. Bureau of Mines, which scale is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and is hereby incorporated by reference and made a part hereof.~~
- ~~3. DUST — No use shall cause dust, dirt, or fly-ash of any kind to escape beyond the lot lines in a manner detrimental to or endangering the public health, safety or welfare or causing injury to property.~~
- ~~4. NOXIOUS — No use shall discharge across the lot lines noxious,  
MATTER — toxic or corrosive matter, fumes or gases in such concentration as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.~~
- ~~5. ODOR — No use shall emit across the lot lines odor in such quantities as to readily be detectable at any point along the lot lines and as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.~~
- ~~6. SOUND — No use shall produce sound in such a manner as to endanger the public health, safety or welfare or cause injury to property. Sound shall be muffled so as not to become detrimental due to intermittence, beat frequency, shrillness or vibration.~~
- ~~7. HEAT AND — No use shall produce heat or glare creating a hazard  
GLARE — perceptible from any point beyond the lot lines.~~
- ~~8. WASTE — No use shall accumulate within the lot or discharge  
MATTER — beyond the lot lines any waste matter, whether liquid or solid, in violation of the applicable standards and regulations of the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana, the Indiana State Board of Health, and the Stream Pollution Control Board of the State of Indiana, or in such a manner as to endanger the public health, safety or welfare or cause injury to property.~~

CHAPTER III

SECTION 3.00 SEVERABILITY

~~If any section, subsection, paragraph, subparagraph, clause, phrase, word, provision or portion of this ordinance shall be held to be unconstitutional or invalid by any court of competent jurisdiction, such holding or decision shall not affect or impair the validity of this ordinance as a whole or any part thereof, other than the section, subsection, paragraph, subparagraph, clause, phrase, word, provision or portion so held to be unconstitutional or invalid.~~

~~NOW BE IT FURTHER ORDAINED that an emergency exists for the passage of this ordinance and that the same shall be in full force and effect from and after this date.~~

~~Date — June 8, 1973 — CITY COUNTY COUNCIL OF INDIANAPOLIS  
AND OF MARION COUNTY, INDIANA~~

~~Attest: — Jean A. Wyttenbach (Clerk)  
Thomas C. Hasbrook President (or Presiding Officer)~~

April 25, 1994

UNIVERSITY QUARTER ZONING ORDINANCE  
OF  
MARION COUNTY, INDIANA

WHEREAS, Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, established a single planning and zoning authority in counties having first class cities and grants certain powers relative to the zoning and districting of land to the Metropolitan Plan Commission and the County Council of such counties having first class cities, in order to unify the planning and zoning functions thereof; and

WHEREAS, the Metropolitan Plan Commission of Marion County, Indiana, has adopted and certified, pursuant to Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, various segments of its ORIGINAL COMPREHENSIVE OR MASTER PLAN OF MARION COUNTY, INDIANA, including a UNIVERSITY QUARTER SITE PLAN FOR MARION COUNTY, INDIANA, adopted by Resolution 66-CPS-R-3 on December 21, 1966; and

WHEREAS, said Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, empowers the Metropolitan Plan Commission of Marion County, Indiana, after such comprehensive plan certification, to recommend to the County Council an ordinance or ordinances for the zoning or districting of all lands within the County to the end that adequate light, air, convenience of access and safety from fire, flood and other danger may be secured; that congestion in the public streets may be lessened or avoided; that property values may be preserved; that the public health, safety, comfort, morals, convenience and general welfare may be promoted;

NOW THEREFORE BE IT ORDAINED by the Marion County Council of Marion County, Indiana, that Marion County Council Ordinance No. 8-1957, adopted by the Marion County Council on March 28, 1957 and subsequently amended pursuant to Section 85 of Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, and the University Quarter Zoning Ordinance of Marion County, Indiana, Ordinance 66-AO-6, adopted as an amendment thereto, be amended to read as follows:

CHAPTER I

~~SECTION 1.00 ESTABLISHMENT OF UNIVERSITY QUARTER ZONING DISTRICTS~~  
~~PERMITTED USES, DEVELOPMENT STANDARDS~~

A. ~~The following primary UNIVERSITY QUARTER ZONING DISTRICTS for Marion County, Indiana, are hereby established, and land within said County is hereby classified, divided and zoned into said districts as designated on the UNIVERSITY QUARTER DISTRICTS ZONING MAPS, which MAPS are attached hereto, incorporated herein by reference and made a part of this ordinance. No use shall be permitted in said DISTRICTS other than the following permitted uses.~~

Sec. 2.03. University Quarter District regulations.

A. Permitted University Quarter District uses.

1. Permitted University Quarter One (UQ-1) uses.

~~1. UNIVERSITY QUARTER PERMITTED UQ-1 USES DISTRICT ONE UQ-1~~

4. a. University uses. Provided, however, prior to the issuance of an Improvement Location Permit for any use, structure, building or development within the UQ-1 District, the Metropolitan Development Commission's approval shall be required.

The petition for such UQ-1 approval shall include a site and development plan. The Metropolitan Development Commission may consider and act upon such petition, approve the same in whole or in part, and impose additional development standards, requirements or conditions thereon at any public meeting of the Commission. Public notice thereof shall not be required; however, the owner/petitioner shall have the right to appear and be heard. The proposed use, building or structure and site and development plan shall:

- (1) be so designed as to create a superior land development plan, in conformity with the Comprehensive ~~or Master~~ Plan of Marion County, Indiana, including the applicable University Quarter Plan;



- (2) create and maintain a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the University Quarter District and with adjacent uses;
- (3) provide sufficient and adequate access, parking and loading areas;
- (4) provide traffic control and street plan integration with existing and planned public streets and interior access roads;
- (5) provide adequately for sanitation, drainage and public utilities; and
- (6) allocate adequate sites for all uses proposed – the design, character, grade, location and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive ~~or~~ Master Plan of Marion County, Indiana, including the applicable University Quarter Plan.

2. Permitted University Quarter Two (Butler University) (UQ-2[b]) uses.

~~2. UNIVERSITY QUARTER PERMITTED UQ-2(B) USES DISTRICT TWO (BUTLER UNIVERSITY) UQ-2(B)~~

- ~~1. a.~~ Any use permitted in the D-5 Dwelling District, subject to all standards, requirements and regulations of section 2.067 of the Dwelling Districts Zoning Ordinance (D-5 Dwelling District Five regulations), ~~of Ordinance No. 66-AO-289-AO-2, as amended.~~ DWELLING DISTRICTS ZONING ORDINANCE of Marion County, Indiana, as amended.
2. b. University-related group dwelling use (dormitory or fraternal organization) providing residence solely for university students or faculty. Provided however, such University-related group dwelling use shall be subject to the Metropolitan Development Commission's approval, as hereinafter provided, ~~in subsection a.,~~ and subject to the development standards of ~~subsection b. hereof.~~ Section 2.03. B.
- ~~a.~~ The petition for UQ-2(B) University-related group dwelling use approval shall include a site and development plan. The Metropolitan Development Commission may consider and act upon such petition, approve the same in whole or in part, and impose additional development standards, requirements or conditions thereon at any public hearing of the Commission. Public notice thereof and notice by the petitioner to adjoining land owners in accordance with the Commission's rules of procedure shall be required. The proposed use, building or structure, and site and development plan shall:
  - (1) be so designed as to create a superior land development plan, in conformity with the Comprehensive ~~or~~ Master plan of Marion County, Indiana, including the applicable University Quarter Plan;
  - (2) create and maintain a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the University Quarter District and with adjacent uses;
  - (3) indicate sufficient and adequate access, parking and loading areas--except, however, such primary GROUP DWELLING parking area shall not be located within the subject site, but shall be provided within five hundred (500) feet thereof in the adjacent UQ-1 District;
  - (4) provide adequately for sanitation, drainage and public utilities; and
  - (5) allocate adequate sites for all uses proposed--the design, character, grade, location and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive ~~or~~ Master Plan of Marion County, Indiana, including the applicable University Quarter Plan.

B. University Quarter District development standards.

1. Development standards - UQ-2(B), University-related group dwelling uses.

b. ~~UQ 2(B) UNIVERSITY RELATED GROUP DWELLING USES shall be subject to the following development standards:~~

(1) ~~a. Setback lines and minimum yards.~~

(a) (1) Setback line and minimum front yard: Yards, having a minimum depth in accordance with the setback requirements of section 2.4721, A of the Dwelling Districts Zoning Ordinance, 89-AO-2, as amended, shall be provided along all street right-of-way lines.

(b) (2) Minimum side and rear yards: fifteen (15) feet or one (1) foot for each foot of building height, which ever is greater.

(2) ~~b. Maximum building area.~~ Building area (as defined in section 2.4925 of the Dwelling Districts Zoning Ordinance), 89-AO-2, as amended, shall not exceed forty percent (40%) of the lot area.

(3) ~~c. Maximum height.~~ Thirty-five (35) feet.

## CHAPTER II

### SECTION 2.00 UNIVERSITY QUARTER DISTRICT REGULATIONS

The following regulations shall apply to all land within the UNIVERSITY QUARTER DISTRICTS.

A. After the effective date of this ordinance:

1. ~~With the exception of legally established nonconforming uses, no land, building, structure, premises or part thereof shall be used or occupied except in conformity with these regulations and for uses permitted by this ordinance.~~

2. ~~No building, structure, premises or part thereof shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated except in conformity with these regulations and for uses permitted by this ordinance.~~

~~Provided, however, legally established nonconforming uses may be reconstructed if damaged or partially destroyed by fire or other disaster when such damage or destruction does not exceed two-thirds (2/3) of the gross floor area of the structures or facilities affected.~~

B. All uses established or placed into operation after the effective date of this ordinance shall comply with the following performance standards. No use in existence on the effective date of this ordinance shall be so altered or modified as to conflict with these standards.

1. ~~VIBRATION~~ No use shall cause earth vibrations or concussions detectable beyond the lot lines without the aid of instruments.

2. ~~SMOKE~~ No use shall emit smoke of a density equal to or greater than No. 2 according to the Ringlemann Scale, as now published and used by the U.S. Bureau of Mines, which scale is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and is hereby incorporated by reference and made a part hereof.

3. ~~DUST~~ No use shall cause dust, dirt or fly ash of any kind to escape beyond the lot lines in a manner detrimental to or endangering the public health, safety or welfare or causing injury to property.

4. ~~NOXIOUS~~ No use shall discharge across the lot lines noxious, ~~MATTER~~ toxic or corrosive matter, fumes or gases in such concentration as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.

5. ~~ODOR~~ No use shall emit across the lot lines odor in such quantities as to be readily detectable at any point along the lot lines and as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.

6. ~~SOUND~~ No use shall produce sound in such a manner as to endanger the public health, safety or welfare or cause injury to property. Sound shall be muffled so as not to become detrimental due to intermittence, beat frequency, shrillness or vibration.



7. ~~HEAT AND~~ No use shall produce heat or glare creating a hazard  
~~GLARE~~ perceptible from any point beyond the lot lines.

8. ~~WASTE~~ No use shall accumulate within the lot or discharge  
~~MATTER~~ beyond the lot lines any waste matter, whether liquid or solid, in violation of the applicable standards and regulations of the Division of Public Health of the Health and Hospital corporation of Marion County, Indiana, the Indiana State Board of Health, and the Stream Pollution Control Board of the State of Indiana or in such a manner as to endanger the public health, safety or welfare or cause injury to property.

C. All uses permitted within the UNIVERSITY QUARTER DISTRICTS shall be provided with adequate off street parking and loading spaces.

Sec. 2.04. Reserved.

### CHAPTER III

Sec. 3.00. Severability.

If any section, subsection, paragraph, subparagraph, clause, phrase, word, provision or portion of this ordinance shall be held to be unconstitutional or invalid by any court of competent jurisdiction, such holding or decision shall not affect or impair the validity of this ordinance as a whole or any part thereof, other than the section, subsection, paragraph, subparagraph, clause, phrase, word, provision or portion so held to be unconstitutional or invalid.

NOW BE IT FURTHER ORDAINED that an emergency exists for the passage of this ordinance and that the same shall be in full force and effect from and after this date.

If any provision of this ordinance shall be held invalid, its invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

Now be it further ordained that this ordinance shall be in full force and effect from and after its adoption in compliance with IC 36-7-4.

Proposal No. 197, 1994 was retitled GENERAL ORDINANCE NO. 60, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 60, 1994  
METROPOLITAN DEVELOPMENT COMMISSION  
DOCKET NO. 94-AO-4

A GENERAL ORDINANCE amending the Special Use Districts Zoning Ordinance of Marion County, Indiana, 66-AO-3, as amended.

WHEREAS, IC 36-7-4, as amended, establishes a single planning and zoning authority in counties having consolidated cities and grants certain powers relative to the zoning and districting of land to the Metropolitan Development Commission and the City-County Council of such counties having consolidated cities, in order to unify the planning and zoning functions thereof; and

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana, has adopted and certified, pursuant to IC 36-7-4, as amended, various segments of its Comprehensive Plan Of Marion County, Indiana; and

WHEREAS, said IC 36-7-4, as amended, empowers the Metropolitan Development Commission of Marion County, Indiana, after such comprehensive plan certification, to recommend to the City-County Council an ordinance or ordinances for the zoning or districting of all lands within the County to the end that adequate light, air, convenience of access and safety from fire, flood and other danger may be secured; that congestion in the public streets may be lessened or avoided; that property values may be preserved; that the public health, safety, comfort, morals, convenience and general public welfare may be promoted;

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

SECTION 1. ~~That Marion County Council Ordinance No. 8-1857, adopted by the Marion County Council on March 28, 1957, and subsequently amended, be further amended by amending the Special Use Districts Zoning Ordinance (Docket No. 66-AO-3 as amended by 67-AO-5, 68-AO-13 and 78-AO-1) to read as follows: The Special Use Districts Zoning Ordinance, as adopted under Metropolitan Development Commission Docket Numbers 66-AO-3, 67-AO-5, 68-AO-13, and 78-AO-1, be further amended by deleting the crosshatched language and inserting the underscored language as follows:~~

SPECIAL USE DISTRICTS ZONING ORDINANCE  
OF MARION COUNTY, INDIANA

CHAPTER I

Sec. 1.00. Establishment of Special Use Zoning Districts --Permitted Uses

The following primary Special Use Zoning Districts for Marion County, Indiana, are hereby established, and land within said County, ~~including the incorporated and unincorporated portions thereof, hereafter~~ zoned to said district classifications shall be designated on the applicable zoning maps by the following zoning district symbols, respectively (which maps are ~~a part of said Ordinance No. 8-1957, as amended, and hereby incorporated by reference and made a part of this ordinance).~~ No use shall be permitted in any Special Use Zoning District other than the following permitted use or uses specified for each said district, respectively:

*Special Use  
Zoning  
District*

*Symbol*

*Permitted Use*

I	SU-1	<del>Churches</del> <u>Religious use (as defined in section 2.01.B.</u>
II	SU-2	<u>Schools</u>
III	SU-3	<u>Golf courses, golf driving range, golf country club--public or private</u>
<del>IV</del>	<del>SU-4</del>	<del>Airport or landing fields</del>
V	SU-5	<u>Radio receiving or broadcasting towers and accessory buildings</u>
VI	SU-6	<u>Hospitals, and sanitariums, nursing home</u>
VII	SU-7	<u>Charitable, and philanthropic and not-for-profit institutions</u>
VIII	SU-8	<u>Correctional and penal institutions</u>
IX	SU-9	<u>Building(s) and grounds used by any department of town, city, township, county, state or federal government</u>
X	SU-10	<u>Cemeteries</u>
<del>XI</del>	<del>SU-11</del>	<del>Auto wrecking and junking.</del>
<del>XII</del>	<del>SU-12</del>	<del>Junkyards--iron, rag, paper--storage or bailing.</del>
XIII	SU-13	<u>Sanitary landfill</u>
<del>XIV</del>	<del>SU-14</del>	<del>Garbage feeding and disposal.</del>
<del>XV</del>	<del>SU-15</del>	<del>The raising or maintenance of animals or livestock for biological purposes or for their fur or pelts.</del>
XVI	SU-16	<u>Amusement parks and swimming pools privately owned and open to public patronage Indoor and outdoor commercial amusement, recreation and entertainment establishment.</u>
<del>XVII</del>	<del>SU-17</del>	<del>Automobile race track, speedways.</del>
XVIII	SU-18	<u>Light and/or power substation.</u>
<del>XIX</del>	<del>SU-19</del>	<del>Drive-in theatres.</del>
XX	SU-20	<u>Telephone exchange offices.</u>
<del>XXI</del>	<del>SU-21</del>	<del>Dog kennels, boarding and breeding.</del>
<del>XXII</del>	<del>SU-22</del>	<del>Livestock sales yards and auction yards.</del>
XXIII	SU-23	<u>Permanent gravel and or sand processing plant, rock crushing, grinding or milling and stock piling.</u>
<del>XXIV</del>	<del>SU-24</del>	<del>Abattoir.</del>
<del>XXV</del>	<del>SU-25</del>	<del>Asphalt handling.</del>



XXVI	SU-26	Glue manufacturing.
XXVII	SU-27	Livestock killing or meat processing.
XXVIII	SU-28	Petroleum refineries and petroleum products storage.
XXIX	SU-29	Reduction plants
XXX	SU-30	Rock crushing, grinding or milling.
XXXI	SU-31	Slaughter house.
XXXII	SU-32	Stock yards.
XXXIII	SU-33	Pharmaceutical laboratories.
XXXIV	SU-34	a. Club rooms b. Fraternal rooms--Fraternity and lodge c. Ballroom--Public
XXXV	SU-35	Telecommunication receiving or broadcasting tower and associated accessory buildings. <del>"Telecommunication" is defined by the Federal Communications Commission as: "any transmission, emission or reception of signs, signals, writing, images, and sounds or intelligence of any nature by wire, radio, visual or other electromagnetic systems." Said definition is hereby made a part of this section.</del>
XXXVI	SU-36	Riding academies, commercial stables.
XXXVII	SU-37	Library
XXXVIII	SU-38	Community center
XXXIV	SU-39	a. Water tanks, b. water pumping stations and similar structures not located on buildings.
XXXX	SU-40	Dance studios (for instruction purposes only).
XXXXI	SU-41	Sewage disposal plant; <u>garbage feeding and disposal</u>
XXXXII	SU-42	Gas utility
XXXXIII	SU-43	Power transmission lines

Including for each said district, Accessory Uses and Structures, subordinate, appropriate and incidental to the above permitted primary uses.

## CHAPTER II

### Sec. 2.00. Special Use District Regulations

The following regulations shall apply to all land within the Special Use Districts.

A. Applicability Of Regulations. After the effective date of this ordinance:

1. With the exception of legally established nonconforming uses, no land, building, structure, premises or part thereof shall be used or occupied except in conformity with these regulations and for uses permitted by this ordinance.
2. No building, structure, premises or part thereof shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated except in conformity with these regulations and for uses permitted by this ordinance and until the proposed site and development plan and landscape plan have been filed with and approved on behalf of the Metropolitan Development Commission by the Administrator of the Neighborhood and Development Services Division or approved by said Metropolitan Development Commission, as hereinafter provided. Said request shall be in the form of an application for an Improvement Location Permit.

Upon the application for such permit request, the Administrator of the ~~Division of Neighborhood and Development Services Division~~ on behalf of the Metropolitan Development Commission, shall consider and either approve, disapprove, or approve subject to any conditions, amendments or covenants by the petitioner, the proposed site and development plan and landscape plan. (The action of the Administrator upon such permit application shall be subject to the filing of an appeal in the form of an Approval Petition, within ten (10) days of denial of said approval, by any aggrieved person to the Metropolitan Development Commission as specified in the Rules of Procedure of the Metropolitan Development Commission.)

The Metropolitan Development Commission may consider and act upon such appeals of the action of the Administrator at any public meeting of the Commission, -- and shall either approve, disapprove, or approve subject to any conditions, amendments, or covenants by the petitioner, the site and development plan and landscape plan. The Approval Petition shall be heard in accordance with the Metropolitan Development Commission's Rules of Procedure.

No building or structure shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated in said Special Use Districts of Indianapolis, Marion County, Indiana, without an Improvement Location Permit, and said permit shall not be issued until the proposed site and development plan has been approved in accordance with this section.

3. Provided, however, If legally established nonconforming uses and structures or buildings not located in any Flood Control District may be reconstructed to their original dimensions and conditions if damaged or partially destroyed by fire or other naturally occurring disaster, when such provided the damage or destruction does not exceed two-thirds (2/3) of the value gross floor area of the building or structures or facilities affected.

- 3 4. All land use within the Special Use Districts shall be limited to the use or uses existing on the effective date of this ordinance or specified in the applicable rezoning petition or ordinance redistricting and zoning the particular land to that District.

B. Performance Standards. All uses established or placed into operation after the effective date of this ordinance shall comply with the following performance standards. No use in existence on the effective date of this ordinance shall be so altered or modified as to conflict with these standards.

1. *Vibration:* No use shall cause earth vibrations or concussions detectable beyond the lot lines without the aid of instruments.
2. *Smoke, dust and particulate matter:* Smoke, dust, particulate matter and any other air-borne material shall be subject to, and comply with, the standards and regulations of the Air Pollution Ordinance as contained in Chapter 4 of the Code of Indianapolis and Marion County, Indiana, and regulations promulgated pursuant thereto by the Indianapolis Air Pollution Control Board.
3. *Noxious matter:* No use shall discharge across the lot lines, noxious, toxic or corrosive matter, fumes or gases in such concentration as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.
4. *Odor:* No use shall emit across the lot lines odor in such quantities as to be readily detectable at any point along the lot lines and as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.
5. *Sound:* No use shall produce sound in such a manner as to endanger the public health, safety or welfare or cause injury to property. Sound shall be muffled so as not to become detrimental due to intermittence, beat, frequency, shrillness or vibration.
6. *Heat and glare:* No use shall produce heat or glare creating a hazard perceptible from any point beyond the lot lines.
7. *Waste matter:* No use shall accumulate within the lot or discharge beyond the lot lines any waste matter, whether liquid or solid, in violation of the applicable standards and regulations of the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana, the Indiana State Board of Health, and the Stream Pollution Control Board of the State of Indiana and the Department of Public Works of Indianapolis, Indiana, or in such a manner as to endanger the public health, safety or welfare or cause injury to property.

C. Development Standards All uses permitted within the Special Use Districts shall ~~be provided with adequate off-street parking and loading spaces, be administratively reviewed (as noted in Section 2.00, A. 1 and 2), using as a guide the development standards applicable to the specified district as follows:~~



Special Use  
Zoning District

Applicable District For  
Development Standards Compliance

<u>SU-1</u>	<u>C-1</u>
<u>SU-2</u>	<u>C-1</u>
<u>SU-3</u>	<u>C-5</u>
<u>SU-5</u>	<u>I-2-S</u>
<u>SU-6</u>	<u>C-2</u>
<u>SU-7</u>	<u>C-2</u>
<u>SU-8</u>	<u>C-2</u>
<u>SU-9</u>	<u>C-1</u>
<u>SU-10</u>	<u>C-1</u>
<u>SU-13</u>	<u>(As per Section 2.00, D)</u>
<u>SU-16</u>	<u>C-5</u>
<u>SU-18</u>	<u>I-1-S</u>
<u>SU-20</u>	<u>C-1</u>
<u>SU-23</u>	<u>I-5-S</u>
<u>SU-28</u>	<u>I-4-S</u>
<u>SU-34</u>	<u>C-3</u>
<u>SU-35</u>	<u>I-2-S</u>
<u>SU-37</u>	<u>C-1</u>
<u>SU-38</u>	<u>C-3</u>
<u>SU-39</u>	<u>C-1</u>
<u>SU-41</u>	<u>I-5-S</u>
<u>SU-42</u>	<u>C-1 (And as per Section 2.00, E)</u>
<u>SU-43</u>	<u>I-1-S</u>

The Administrator, in reviewing Special Use District development, shall have the power to modify the standards noted above, and approve alternatives for those requirements so long as the alternative standards are appropriate for the site and its surroundings and the site development is compatible and consistent with the intent of the stated standards. Such modifications shall be noted on the site and development plan, stamped approved by the Administrator and become a part of the file and requirements for the Improvement Location Permit.

D. Additional Development Standards for the Special Use XIII (SU-13) District In addition to the regulations of Section 2.00 A, B, and C, the following regulations shall apply to Special Use District XIII (SU-13):

1. Land use restriction: Land use permitted in the SU-13 District shall be limited to "sanitary landfill" operations, as defined in Section 2.01, B, as follows:

~~"Sanitary landfill": a method of disposing of refuse on land without creating nuisances or hazards to public health, safety, or welfare by utilizing principals of engineering to confine the refuse to the smallest practical area, to reduce it to the smallest practical volume, covering it with a layer of suitable cover at the conclusion of each day's operation or at more frequent intervals as necessary, and in compliance with all requirements and regulations of this ordinance. Whenever the applicable standards or requirements of any other ordinance, or governmental unit or agency thereof are higher or more restrictive, the latter shall control land use permitted in the SU-13 District.~~

~~"Open Dumping", as defined in Section 2.01, B, shall not be permitted in the SU-13 District. (For purposes of this ordinance, "open dump" is defined as follows: a site where refuse is dumped, which due to lack of control may create a breeding place for flies and rats, may catch fire or produce air pollution.)~~

No use in the SU-13 District shall be maintained or operated in a manner constituting a hazard to health, safety or the public welfare.

2. Minimum lot area: Ten (10) acres.
3. Minimum frontage: Three hundred (300) feet.
4. Minimum yards: Minimum required depth of front, rear and side yards, surrounding the landfill operation: One hundred (100) feet.

No landfill operation, or portion thereof, shall be permitted within one hundred (100) feet of any lot line.

5. *Fencing:* The entire landfill operation shall be enclosed with a substantial wall, fence at least five (5) feet in height, or other adequate barrier.
6. *Buffer strip:* A buffer planting strip, at least thirty (30) feet in depth, shall be provided and maintained between the lot lines and the above required fencing or other enclosure.
7. *Signs:* Signs and sign structures shall comply with the Sign Regulations of Marion County, Indiana, 71-AO-4, as amended. ~~Only necessary identification and directional signs shall be permitted.~~
8. *Access drive:* Distance of driveway entrance or exit from any adjacent lot line shall be at least one hundred twenty-five (125) feet.

Any portion of such access drive within a distance of one hundred fifty (150) feet of the public street shall be paved or treated so as to be dust free.

9. *Required permit, site and operational plan; bond:*

- (1) a. No sanitary landfill operation (or phase thereof) shall be permitted in the SU-13 District until a Permit has been issued by the Neighborhood and Development Division of Development Services Division and a bond filed therefore, as required by sub-paragraph (2) b. hereof.
- (2) b. Applications for the Permit required by subparagraph (1) a. above shall be made in writing and shall be accompanied by a corporate surety bond for the faithful performance of all applicable requirements of this ordinance, including the operation and the completion of the sanitary landfill in accordance with the approved Site and Operational Plan, as required by sub-paragraph (3) c. hereof. (Such Permit may be issued and bond filed for the total operation or for one or more phases thereof, as shown on the Site and Operational Plan.)

Said bond shall run jointly and severally to the Metropolitan Development Commission of Marion County, Indiana, and any other governmental agency requiring a similar bond, and shall be in the amount of ten thousand dollars (\$10,000.00) per operation, with approved surety. Said bond shall specify the time for completion of all applicable requirements of this ordinance and shall specify the total operational area, or phase thereof, covered by the bond.

- (3) c. Applications for the Permit required by sub-paragraph (1) a. above shall be accompanied by the following:
  - (a) (1) proposed Site and Operational Plan, including topographic maps (at a scale of not over one hundred [100] feet to the inch) with contour intervals which clearly show the character of the land and geological characteristics of the site as determined by on-site testing or from earlier reliable survey data, indicating soil conditions, water tables and subsurface characteristics.

Said Plan shall indicate: the proposed fill area; any borrow area; access roads; on-site drives; grades for proper drainage of each lift required and a typical cross- section of a lift; special drainage devices if necessary; location and type of fencing; structures existing or to be located on the site; existing wooded areas, trees, ponds or other natural features to be preserved; existing and proposed utilities; phasing of landfill operations on the site; a plan and schedule for site restoration and completion; a plan for the ultimate land use of the site; and all other pertinent information to indicate clearly the orderly development, operation and completion of the sanitary landfill. Approval of said Site and Operational Plan by the Administrator of the Division of Neighborhood and Development Services Division shall be required prior to the issuance of said permit.

- (b) (2) An area map.

10. *Operation:*

- (a) a. Supervision of operation. A landfill operation shall be under the direction of a responsible individual at all times. Access to a sanitary landfill shall be limited to those times when an



attendant is on duty and only to those authorized to use the site for the disposal of refuse. Access to the site shall be controlled by a suitable barrier.

- (b) b. Unloading of refuse. Unloading of refuse shall be continuously supervised.
- (c) c. Site maintenance. Measures shall be provided to control dust and blowing paper. The entire area shall be kept clean and orderly.
- (d) d. Spreading and compacting of refuse. Refuse shall be spread so that it can be compacted in layers not exceeding a depth of two (2) feet of compacted material. Large and bulky items, when not excluded from the site, shall be disposed of in a manner approved by the Health and Hospital Corporation.
- (e) e. Daily cover. A compacted layer of at least six (6) inches of suitable cover material shall be placed on all exposed refuse by the end of each working day.
- (f) f. Final cover. A layer of suitable cover material compacted to a minimum thickness of two (2) feet shall be placed over the entire surface of each portion of the final lift not later than one (1) week following the placement of refuse within that portion.
- (g) g. Maintenance of cover. All daily cover depths must be continually maintained and final cover depths shall be maintained for a period of two (2) years.
- (h) h. Hazardous materials, including liquids and sewage. Hazardous materials, including liquids and sewage, shall not be disposed of in a sanitary landfill unless special provisions are made for such disposal through the health department having jurisdiction. This provision in no way precludes the right of a landfill operator to exclude any materials as a part of his operational standards.
- (i) i. Burning. No refuse shall be burned on the premises.
- (j) j. Salvage. Salvaging, (the controlled removal of reusable materials), if permitted, shall be organized so that it will not interfere with prompt sanitary disposal of refuse or create unsightliness or health hazards. Scavenging (the uncontrolled removal of materials) shall not be permitted.
- (k) k. Insect and rodent control. Conditions unfavorable for the production of insects and rodents shall be maintained by carrying out routine landfill operations promptly in a systematic manner. Supplemental insect and rodent control measures shall be instituted whenever necessary.
- (l) l. Drainage of surface water. The entire site, including the fill surface, shall be graded and provided with drainage facilities to minimize runoff onto and into the fill, to prevent erosion or washing of the fill, to drain off rainwater falling on the fill, and to prevent the collection of standing water.
- (m) m. Characteristics of cover material. Cover material shall be of such character that it can be compacted to provide a tight seal and shall be free of putrescible materials and large objects.
- (n) n. Water pollution and nuisance control. Sanitary landfill operations shall be so designed and operated that conditions of unlawful pollution will not be created and injury to ground and surface waters avoided which might interfere with legitimate water uses. Water-filled areas not directly connected to natural lakes, rivers or streams may be filled with specific inert material not detrimental to legitimate water uses and which will not create a nuisance or hazard to health. Special approval of the inert material to be used in this manner shall be required in writing from the Health and Hospital Corporation. Inert material shall not include residue from refuse incinerators.
- (o) o. Equipment. Adequate numbers, types and sizes of properly maintained equipment shall be used in operating the landfill in accordance with good engineering practice and with these rules.

Emergency equipment shall be available on the site or suitable arrangements made for such equipment from other sources during equipment breakdown or during peak loads.

11. *Completion of Landfill:* Upon completion of the landfill operation, or any phase thereof as indicated on the approved Site and Operational Plan, the land shall be graded, backfilled and finished to a surface which will:

- (a) a. result in a level, sloping or gently rolling topography in substantial conformity or desirable relationship to the original site, and land area immediately surrounding, and
- (b) b. minimize erosion due to rainfall. Such graded or backfilled area shall be sodded or surfaced with soil of a quality at least equal to the topsoil of vegetation producing land areas immediately surrounding, and to a depth of at least six (6) inches.

Said topsoil shall be planted with trees, shrubs, legumes or grasses, as indicated on the approved Site and Operational Plan.

E. *Additional Development Standards for the Special Use XXXXII (SU-42) District.* In addition to the regulations of Section 2.00 A, B and C, the following regulations shall apply to all gas conditioning and control facilities, including odorizing, mixing, metering and high pressure regulating substations permitted under such Special Use District XXXXII (SU-42), and where the word "lot" is used in the following twelve paragraphs it shall be deemed to include, but not be limited to, any area of land designated as a lot on a platted subdivision or described on a duly recorded deed or area or parcel of land or site:

1. The storage, utilization or manufacture of all products or materials shall conform to the standards prescribed by the National Fire Protection Association, a copy of which is on file in the office of the Neighborhood and Division of Development Services Division, Department of Metropolitan Development of Marion County, Indiana, and which standards are hereby incorporated by reference and made a part hereof. Such storage, utilization or manufacture shall not produce a hazard or endanger the public health, safety and welfare.
2. All uses shall conform to the Atomic Energy Commission's standards for protection against radiation, a copy of which is on file in the office of the Neighborhood and Division of Development Services Division, Department of Metropolitan Development of Marion County, Indiana, and which standards are hereby incorporated by reference and made a part hereof.
3. All uses shall conform to the Federal Communications Commission's standards governing electromagnetic radiation, a copy of which is on file in the office of the Neighborhood and Division of Development Services Division, Department of Metropolitan Development of Marion County, Indiana, and which standards are hereby incorporated by reference and made a part hereof.
4. No building or structure for uses permitted under such Special Use District XXXXII (SU-42) shall be constructed and no premises shall be used for such purposes on any lot which does not have direct frontage on one (1) permanently surfaced public street or highway.
5. All uses permitted under such Special Use District XXXXII (SU-42) shall provide hardsurfaced, off-street parking areas ~~with hard usable surface~~, including as a minimum requirement one (1) space (containing ~~three hundred-thirty~~ [330] square feet in addition to the necessary ingress and egress lanes) for each two employees, computed on the basis of the greatest number of persons employed at any one period during the day or night. Such parking areas must not extend within twenty (20) feet of any lot boundary except where said lot boundary abuts an active railroad line.

Such parking areas shall not be leased or rented for hire, but shall be for the sole use of the occupants and visitors of the premises.

6. The total of the gross floor area of all structures on the lot, excluding the gross floor area of off-street parking building space, shall not exceed one-half (1/2) the area of the lot on which the structures are located.
7. A front yard shall be required along every front lot line. A front yard shall be not less than the established set-back for abutting land; provided, however, in the event such established set-backs of abutting land shall not be of equal depth, the front yard shall be not less than the depth of the greater,



and in the event the abutting land is in an Industrial or Commercial ~~4D~~District, the front yard shall be not less than sixty (60) feet in depth.

Provided further that in the event said lot adjoins a Dwelling ~~or Agricultural~~ District, the fence and hedge referred to in paragraph (12) hereof shall not be located closer to any street right-of-way than the established set-back line of said Dwelling ~~or Agricultural~~ District, said fence to be not less than fifteen (15) additional feet from the outside of the building or structure as provided in said paragraph (12) hereof. Except for necessary walks, drives and parking areas not exceeding ten percent (10%) of the front yard area, a front yard shall be planted in grass or other suitable ground cover.

8. A side yard shall be provided along each side lot line. A side yard shall be at least fifty (50) feet in depth (except where it abuts a main line railroad) plus one (1) foot for each foot of height by which the building or structure exceeds twenty (20) feet.

~~On a corner lot, the side yard adjacent to a street shall be subject to the standards applicable to front yards, except that such side yard may be used for off-street parking not extending within 20 feet of the street right-of-way.~~

9. A rear yard shall be provided along each rear yard line. A rear yard shall be at least fifty (50) feet in depth (except where it abuts an active main line railroad) plus one (1) foot for each foot of height by which the building or structure exceeds twenty (20) feet.
10. All signs shall meet the requirements of the Sign Regulations of Marion County, Indiana (71-AO-4), ~~except that no signs other than directional signs not exceeding 6 square feet in area shall be permitted between the lot line and set back line.~~
11. All gas conditioning and control facilities permitted under such Special Use District XXXXII (SU-42) and equipment relating thereto shall be housed in buildings or structures of masonry construction, unless otherwise prescribed by law or by the standards of the National Fire Protection Association which are incorporated herein by reference and made a part hereof.
12. Each building or structure housing such facilities and equipment shall be enclosed by a six (6) foot chain link fence, with locked gate, not less than fifteen (15) feet from the outside of such building or structure and a compact hedge not less than six (6) feet in height between such fence and the property line. Said hedge shall not be located closer than twenty-five (25) feet to any street right-of-way. In the event said lot adjoins a Dwelling ~~or Agricultural~~ District, said fence and hedge shall not be located closer to any street right-of-way than the established setback line of said Dwelling ~~or Agricultural~~ District.

Sec. 2.01. Construction of language and definitions.

A. Construction of Language. The language of this ordinance shall be interpreted in accordance with the following regulations:

1. The particular shall control the general.
2. In the case of any difference of meaning or implication between the text of this ordinance and any illustration or diagram, the text shall control.
3. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
4. Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
5. A "building" or "structure" includes any part thereof.
6. The phrase "used for" includes "arranged for", "designed for", "intended for", "maintained for", or "occupied for".
7. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction "and", "or", or "either...or", the conjunction shall be interpreted as follows:

- a. "And" indicates that all the connected items, conditions, provisions, or events shall apply.
  - b. "Or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.
  - c. "Either...or" indicates that all the connected items, conditions, provisions, or events shall apply singly but not in combination.
- B. Definitions.
1. Administrator: Administrator of the Neighborhood and Development Services Division or his/her appointed representative.
  2. Hardsurfaced: Quality of an outer area being solidly constructed of pavement, brick, paving stone, or a combination thereof.
  3. Lot line: The legal boundary of a lot as recorded in the office of the Marion County Recorder.
  4. Lot line, front: The lot line(s) coinciding with the street rights-of-way; in the case of a corner lot, both lot lines coinciding with the street rights-of-way shall be considered front lot lines; or, in the case of a through lot, the lot line which most closely parallels the primary entrance to the primary structure shall be considered the front lot line, or so declared by the Administrator.
  5. Lot line, rear: A lot line which is opposite and most distant from the front lot line, or in the case of a triangularly shaped lot, a line ten (10) feet in length within the lot, parallel to and at the maximum distance from the front lot line. However, in the case of a corner lot any, any lot line which intersects with a front lot line shall not be considered a rear lot line.
  6. Lot line, side: Any lot line not designated as a front or rear lot line.
  7. Open dumping: A site where refuse is dumped, which due to lack of control may create a breeding place for flies and rats, may catch fire or produce air pollution.
  8. Religious use: A land use devoted primarily to divine worship together with reasonably related accessory uses, which are subordinate to and commonly associated with the primary use, which may include but are not limited to, educational, instructional, social or residential uses.
  9. Sanitary landfill: A method of disposing of refuse on land without creating nuisances or hazards to public health, safety, or welfare by utilizing principals of engineering to confine the refuse to the smallest practical area, to reduce it to the smallest practical volume, covering it with a layer of suitable cover at the conclusion of each day's operation or at more frequent intervals as necessary.
  10. Yard, front: An open space unobstructed to the sky, extended fully across the lot while situated between the front lot line and a line parallel thereto, which passes through the nearest point of any building or structure and terminates at the intersection of any side lot line.
  11. Yard, rear: An open space unobstructed to the sky extending fully across the lot situated between the rear lot line and a line parallel thereto which passes through the nearest point of any building or structure and terminates at the intersection of any side lot line.
  12. Yard, side: An open space unobstructed to the sky extending the length of the lot situated between a side lot line and a line parallel thereto which passes through the nearest point of any building or structure and terminates at the point of contact with any rear or front yards or any lot line, whichever occurs first.

### CHAPTER III

#### Sec. 3.00. Severability.

If any section, subsection, paragraph, subparagraph, clause, phrase, word, provision or portion of this ordinance shall be held to be unconstitutional or invalid, its invalidity by any court of competent jurisdiction, such holding or decision shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.



~~impair the validity of this ordinance as a whole or any part thereof, other than the section, subsection, paragraph, subparagraph, clause, phrase, word, provision or portion so held to be unconstitutional or invalid.~~

~~Section 2.00 That an emergency exists for the passage of this ordinance and that the same shall be in full force and effect from and after its passage.~~

SECTION 2. The Comprehensive Zoning Maps of Marion County, Indiana, adopted under Metropolitan Development Commission docket number 70-AO-4, as amended, pursuant to IC 36-7-4, be further amended by reclassifying all land within Marion County, Indiana designated on the Comprehensive Zoning Maps in the SU-14, SU-15 and SU-29 Districts, to the following classifications, thereby updating said Comprehensive Zoning Maps:

<i>Deleted Special Use District</i>		<i>New Zoning Classification</i>
<u>SU-14</u>	<u>Garbage Feeding and Disposal</u>	<u>SU-41</u>
<u>SU-15</u>	<u>The Raising and Maintenance of</u> <u>Animals or Livestock for Biological</u> <u>Purposes or for Their Fur or Pelts</u>	<u>D-3</u>
<u>SU-29</u>	<u>Reduction Plant</u>	<u>I-4-U</u>

(which applicable Comprehensive Zoning Maps are attached hereto, incorporated herein by reference and made a part of this ordinance). [The map referred to in this section is not attached to this ordinance, but is on file in the office of the Clerk of the City-County Council.]

SECTION 3. This rezoning shall not supercede, amend or repeal any individually initiated rezoning ordinances approved by the Commission and the City-County Council subsequent to September 2, 1987, and thereafter legally effective (which rezonings by individual legal description have not be mapped and included upon the Comprehensive Zoning Maps, as amended, but shall be so included upon said Maps in subsequent amendment hereto).

SECTION 4. This rezoning shall not supercede, amend or repeal Airspace District Zoning Ordinance (62-AO-2, as amended) and the Airspace District Map adopted as a part thereof, establishing the Airspace District as a secondary zoning district of Marion County, Indiana.

SECTION 5. This rezoning shall not supercede, amend or repeal the Floodway and Floodway fringe zoning district boundaries, as adopted under Metropolitan Development Commission docket number 92-AO-7.

SECTION 6. This rezoning shall not supercede, amend, or repeal Gravel-Sand-Borrow District Zoning Ordinance (65-AO-3) and the GSB (Gravel-Sand-Borrow) designations adopted pursuant thereto as a secondary zoning district.

SECTION 7. This ordinance shall be in full force and effect from and after adoption in compliance with IC 36-7-4.

Proposal No. 198, 1994 was retitled GENERAL ORDINANCE NO. 61, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 61, 1994  
METROPOLITAN DEVELOPMENT COMMISSION  
DOCKET NO. 94-AO-5

A GENERAL ORDINANCE repealing the Regional Center - Market Square Development District Zoning Ordinance of Marion County, Indiana and rezoning land in the former RC-M District to the CBD-1 and CBD-2 classifications.

WHEREAS, IC 36-7-4, establishes the Metropolitan Development Commission (MDC) of Marion County, Indiana as the single planning and zoning authority for Marion County, Indiana, and empowers the MDC to approve and recommend to the City-County Council of the City of Indianapolis and of Marion County, Indiana ordinances for the zoning or districting of all lands within the county for the purposes of securing adequate light, air, convenience of access, and safety from fire, flood, and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, morals, convenience, and general public welfare; securing the conservation of property values; and securing responsible development and growth; and,

*April 25, 1994*

WHEREAS, the Regional Center - Market Square Development District Zoning Ordinance for Marion County, Indiana, 70-AO-2, has been amended but has not been revised substantially in over ten years; and,

WHEREAS, in the time period since the original adoption of the Regional Center - Market Square Development District Zoning Ordinance for Marion County, Indiana, development patterns and consumer preferences within the downtown area have changed, with these changes not being reflected in the Regional Center - Market Square Development District; and,

WHEREAS, the Regulatory Study Commission, after careful analysis, has determined that the provisions for Metropolitan Development Commission (MDC) public hearing and approval of all uses or development within the Regional Center - Market Square Development District is overly burdensome, unnecessary, and repetitive; and,

WHEREAS, the Central Business District One (CBD-1) and Central Business District Two (CBD-2) classifications, in conjunction with the Regional Center Secondary District, can properly provide for protection of the City Market area, while significantly lessening the bureaucratic regulation and monetary cost of the current system; and,

WHEREAS, the Regulatory Study Commission has recommended to the MDC and the City-County Council that the Regional Center - Market Square Development District be repealed, with the land formerly zoned to the RC-M District being rezoned to the appropriate Central Business District classification and Regional Center Secondary District; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Regional Center - Market Square Development District Zoning Ordinance, as adopted under Metropolitan Development Commission Docket Numbers 70-AO-2 and 81-AO-6, pursuant to IC 36-7-4, is hereby repealed.

SECTION 2. The Comprehensive Zoning Maps of Marion County, Indiana, adopted under Metropolitan Development Commission Docket Number 70-AO-4, as amended, pursuant to IC 36-7-4, be further amended by reclassifying all land within Marion County, Indiana designated on the Comprehensive Zoning Maps in the RC-M District, to the following classifications, thereby updating said Comprehensive Zoning Maps:

All land in the former RC-M District located west of Delaware Street shall be rezoned to the Central Business District One (CBD-1) classification; and,

All land in the former RC-M District located east of Delaware Street shall be rezoned to the Central Business District Two (CBD-2) classification.

Said land shall be classified, divided and zoned into said districts as designated on the zoning base map, which map is attached hereto as Map #1, incorporated herein by reference and made a part of this ordinance. [The map referred to in this section is not attached to this ordinance, but is on file in the office of the Clerk of the City-County Council.]

SECTION 3. All land in the former RC-M District, rezoned and reclassified into the CBD-1 and CBD-2 Districts noted in Section 2 above, shall further be rezoned to the Regional Center (RC) Secondary Zoning District classification, as noted on the zoning base map, which map is attached hereto as Map #2, incorporated herein by reference and made a part of this ordinance.

SECTION 4. This rezoning shall not supercede, amend or repeal any individually initiated rezoning ordinances approved by the Commission and City-County Council Subsequent to September 2, 1987, and thereafter legally effective (which rezonings by individual legal description have not been mapped and included upon the Comprehensive Zoning Maps, as amended, but shall be so included upon said Maps in subsequent amendment hereto).

SECTION 5. This rezoning shall not supercede, amend or repeal Airspace District Zoning Ordinance (62-AO-2, as amended) and the Airspace District Map adopted as a part thereof, establishing the Airspace District as a secondary zoning district of Marion County, Indiana.

SECTION 6. This rezoning shall not supercede, amend or repeal the Floodway and Floodway fringe zoning district boundaries, as adopted under Metropolitan Development Commission docket number 92-AO-7.



SECTION 7. If any provision of this ordinance shall be held invalid, its invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provisions, and for this purpose the provisions of this ordinance are hereby declared to be severable.

SECTION 8. This ordinance shall in be full force and effect from and after adoption in compliance with IC 36-7-4.

PROPOSAL NO. 199, 1994. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 199, 1994 on April 20, 1994. The proposal approves the disbursement of \$60,000 of the Community Development Block Grant funds. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Gilmer, for adoption. Proposal No. 199, 1994 was adopted on the following roll call vote; viz:

*23 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Gilmer, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, West, Williams*

*0 NAYS:*

*6 NOT VOTING: Dowden, Giffin, Golc, Gray, Schneider, Smith*

Proposal No. 199, 1994 was retitled SPECIAL RESOLUTION NO. 34, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 34, 1994

A SPECIAL RESOLUTION approving the amount, location and programmatic operation of a project to be funded from Community Development Grant Funds.

WHEREAS, on September 21, 1992, the City-County Council, the City of Indianapolis and of Marion County, Indiana ("Council") adopted City-County Fiscal Ordinance No. 57, 1992, 1993 Annual Budget and Tax levies for the Consolidated City of Indianapolis and for Marion County, Indiana ("Budget Ordinance"); and

WHEREAS, Section 4.01 of the Budget Ordinance, as approved by the Council, reads as follows:

SECTION 4.01. State, local and federal grants.

(a) Grant Applications Authorized. The Mayor of the Consolidated City of Indianapolis is hereby authorized to make such applications as may be required by federal or state laws or regulation in order to apply for, and receive, such state or federal grants or payments as are anticipated, allocated and approved for expenditure by inclusion in this ordinance.

(b) Community Development Grant Funds. Until this Council has approved the amounts, locations and programmatic operation of each project to be funded from Community Development Grant Funds, the amounts appropriated herein for such purposes shall not be encumbered or spent.

(c) Public Purpose Local Grants. The sums appropriated for public purposes grants as part of this ordinance shall not be spent until this Council by resolution approves the amount and identity of the recipient of each grant.

WHEREAS, the Department of Metropolitan Development of the City of Indianapolis, Indiana ("Department of Metropolitan Development") has submitted a Riley Area Redevelopment Program Project recommended by the Metropolitan Development Committee to be funded by a portion of the remaining 1993 Community Development Grant Funds, to the Council for its approval pursuant to Section 4.01 of the Budget Ordinance; and

WHEREAS, Council now finds that the amount, location and programmatic operation of the Riley Area Redevelopment Program Project submitted by the Department of Metropolitan Development, should be approved; now, therefore:

April 25, 1994

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. That the Riley Area Redevelopment Program Project recommended by the Metropolitan Development Committee and submitted to the Council by the Department of Metropolitan Development, a copy of which is attached hereto and incorporated herein by reference as Exhibit A, is hereby approved, and the amount, location and programmatic operation of the project set forth therein, is hereby approved.

SECTION 2. This approval shall constitute the approval required under Section 4.01 of the Budget Ordinance.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

EXHIBIT "A"

1993 COMMUNITY DEVELOPMENT BLOCK GRANT  
COMMUNITY DEVELOPMENT COMMITTEE RECOMMENDATIONS

Riley Area Redevelopment Program

\$60,000

Project will acquire and/or rehabilitate three (3) homes for sale to low income families.

PROPOSAL NO. 202, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 202, 1994 on April 13, 1994. The proposal transfers and appropriates \$400 for the Superior Court, Title IV-D Court, to purchase an IRMA Board to install in a personal computer in the office. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Boyd, for adoption. Proposal No. 202, 1994 was adopted on the following roll call vote; viz:

*24 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Dowden, Franklin, Gilmer, Gray, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, West, Williams*

*2 NAYS: Curry, Schneider*

*3 NOT VOTING: Giffin, Golc, Jones*

Proposal No. 202, 1994 was retitled FISCAL ORDINANCE NO. 33, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 33, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Four Hundred Dollars (\$400) in the County General Fund for purposes of the Superior Court, Title IV-D Court and reducing certain other appropriations for that court.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (vv) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Title IV-D Court to purchase an IRMA Board to install in the personal computer in the office.

SECTION 2. The sum of Four Hundred Dollars (\$400) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:



SUPERIOR COURT, TITLE IV-D COURT

2. Supplies  
TOTAL INCREASE

COUNTY GENERAL FUND

\$400  
\$400

SECTION 4. The said increased appropriation is funded by the following reductions:

SUPERIOR COURT, TITLE IV-D COURT

4. Capital Outlay  
TOTAL REDUCTION

COUNTY GENERAL FUND

\$400  
\$400

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 214, 1994 The proposal sponsored by Councillor Coughenour amends the Code concerning environmental public nuisances. Councillor Coughenour asked for consent to send it back to Committee. Consent was given.

**ANNOUNCEMENTS AND ADJOURNMENT**

Councillor Boyd stated that he has been asked to offer the following motions for adjournment by:

- (1) Councillor Williams in memory of Catherine Peachey,
- (2) Councillor Coughenour in memory of Sammuel Raymond Graves, Jr. and Paul Namy,
- (3) Councillor Franklin in memory of Homer Johnson.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Catherine Peachey, Sammuel Raymond Graves, Jr., Paul Namy and Homer Johnson. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:25 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 25th day of April, 1994.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Acting Clerk of the Council

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, MAY 9, 1994**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:05 p.m. on Monday, May 9, 1994, with Councillor SerVaas presiding.

Councillor McClamroch led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*29 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

A quorum of twenty-nine members being present, the President called the meeting to order.

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Beadling introduced Tony and Greg Porter, out-of-town visitors.

**OFFICIAL COMMUNICATIONS**

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.



*Journal of the City-County Council*

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, May 9, 1994, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Beurt SerVaas  
President, City-County Council

April 26, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, April 28, 1994, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 237, 242, 243, 244 and 245, 1994, to be held on Monday, May 9, 1994, at 7:00 p.m., in the City-County Building.

Respectfully,  
s/Suellen Hart  
Assistant Clerk of the City-County Council

April 27, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Acting Clerk of the City-County Council, Robert G. Elrod, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 13, 1994 - appropriating \$190,000 for the Department of Parks and Recreation, Natural Resources Division, to cover the charges to repair roofs on thirteen buildings at several park locations

FISCAL ORDINANCE NO. 14, 1994 - appropriating \$1,587,374 for the Department of Public Safety, Police Division, to complete its capital projects

FISCAL ORDINANCE NO. 15, 1994 - approving reductions in proposed expenditures since the adoption of the 1994 City-County Annual Budget for the Department of Public Works, Wastewater Management Division, in the amount of \$1,092,579

FISCAL ORDINANCE NO. 16, 1994 - transferring and appropriating \$109,541 for the Department of Public Works (DPW), Wastewater Management Division, to cover certain administrative staff positions, supplies and contractual services from DPW, Maintenance Operations Division

FISCAL ORDINANCE NO. 17, 1994 - appropriating \$192,932 for the Department of Public Works, Maintenance Operations Division, to cover sewer maintenance supplies budgeted in 1993 but not utilized due to year-end closing

FISCAL ORDINANCE NO. 18, 1994 - appropriating \$53,792 for the Department of Public Works, Maintenance Operations Division, to reflect funds not transferred to the Opportunity Fund during the 1994 budget hearing process

FISCAL ORDINANCE NO. 19, 1994 - appropriating \$1,000 for the Department of Public Works, Maintenance Operations Division, to restore a portion of Opportunity Fund during 1994 budget hearing process

FISCAL ORDINANCE NO. 20, 1994 - appropriating \$79,950 for the Department of Public Works, Maintenance Operations Division, to reflect funds not transferred to the Opportunity Fund during 1994 budget hearing process

*May 9, 1994*

FISCAL ORDINANCE NO. 21, 1994 - transferring and appropriating \$40,000 for the Department of Public Works, Environmental Resources Management Division, to pay its portion of administrative overhead

FISCAL ORDINANCE NO. 22, 1994 - transferring and appropriating \$92,075 for the Department of Public Works, Environmental Resources Management Division, to provide for additional contractual support for environmental sampling and effluent monitoring

FISCAL ORDINANCE NO. 23, 1994 - transferring and appropriating \$4,277,471 for the Department of Public Works, Wastewater Management Division, and reducing appropriations by \$14,443,571 for that division to reflect in its budget the White River Environmental Partnership contract management of the Wastewater Treatment plants

FISCAL ORDINANCE NO. 24, 1994 - approving reductions in proposed expenditures since the adoption of the 1994 City-County Annual Budget for the Department of Public Works, Solid Waste Management Division, in the amount of \$1,555,000

FISCAL ORDINANCE NO. 25, 1994 - approving reductions in proposed expenditures since the adoption of the 1994 City-County Annual Budget for the Department of Public Works, Solid Waste Management Division, in the amount of \$1,136,055

FISCAL ORDINANCE NO. 26, 1994 - transferring and appropriating \$200,000 for the Department of Capital Asset Management, Asset Management Division, to provide for greater contractual sewer maintenance

FISCAL ORDINANCE NO. 27, 1994 - appropriating \$7,000,000 for the Department of Capital Asset Management, Asset Management Division, to provide for capital improvements to Advanced Wastewater Treatment plants and for sewer and drainage improvements to support the Capital Improvement Program

FISCAL ORDINANCE NO. 28, 1994 - appropriating \$1,092,579 for the Department of Capital Asset Management, Asset Management Division, to reflect in its budget the Sewer Wastewater Management Facilities Engineering operating budget and \$250,000 for emergency sewer repair

FISCAL ORDINANCE NO. 29, 1994 - approving reductions in proposed expenditures from the Flood Control General Fund for the Department of Capital Asset Management, Asset Management Division, in the amount of \$1,000

FISCAL ORDINANCE NO. 30, 1994 - approving reductions in proposed expenditures from the Transportation General Fund for the Department of Capital Asset Management, Asset Management Division, in the amount of \$53,792

FISCAL ORDINANCE NO. 31, 1994 - approving reductions in proposed expenditures from the Sanitation General Fund for the Department of Capital Asset Management, Asset Management Division, in the amount of \$79,950

FISCAL ORDINANCE NO. 32, 1994 - appropriating \$1,555,000 for the Department of Capital Asset Management, Asset Management Division, to establish a lagoon cleaning project

SPECIAL RESOLUTION NO. 28, 1994 - recognizing Southport High School's 100th Anniversary

SPECIAL RESOLUTION NO. 29, 1994 - recognizing IPS science teacher Kevin C. Koers

SPECIAL RESOLUTION NO. 30, 1994 - recognizing Harvey Knox, the "Mayor of Stringtown"

SPECIAL RESOLUTION NO. 31, 1994 - recognizing television reporter Barbara Boyd

SPECIAL RESOLUTION NO. 32, 1994 - recognizing television news anchor Howard Caldwell

SPECIAL RESOLUTION NO. 33, 1994 - concerning federal anti-crime legislation

SPECIAL RESOLUTION NO. 34, 1994 - approving the disbursement of \$60,000 of the Community Development Block Grant funds

SPECIAL ORDINANCE NO. 6, 1994 - authorizing one or more series of economic development revenue bonds in a total aggregate principal amount not to exceed \$1,465,000 for Enterprise Housing - Brookside, Inc. located at 1840 Perkins Avenue (District 21)

Respectfully,  
s/Stephen Goldsmith, Mayor



## **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

## **APPROVAL OF JOURNALS**

President SerVaas called for additions or corrections to the Journal of April 25, 1994. There being no additions or corrections, the minutes were approved as distributed.

## **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 285, 1994. This proposal, sponsored by Councillor Gray, recognizes the 1994 Police and Fire Sports Festival in Indianapolis. Councillor Williams read the resolution and presented a copy of the document to Dan Overley, Indianapolis Police Department (IPD), who expressed appreciation for the recognition. Also present were Wendy Snitko, Ronald Humbert and Thomas Black from IPD; James Nash from Marion County Sheriff's Department; and Tom Hanfy from the Indianapolis Fire Department. Councillor Gray moved, seconded by Councillor Williams, for adoption. Proposal No. 285, 1994 was adopted by unanimous voice vote.

Proposal No. 285, 1994 was retitled SPECIAL RESOLUTION NO. 35, 1994 and reads as follows:

### **CITY-COUNTY SPECIAL RESOLUTION NO. 35, 1994**

A SPECIAL RESOLUTION recognizing the 1994 Police & Fire Sports Festival in Indianapolis.

WHEREAS, during June 22-26, 1994, the Indianapolis city police and fire departments and the Marion County Sheriff's Department, in cooperation with FOP Lodge 86 and Firefighter's Union Local 416, will host the Regional Police & Fire Sports Festival; and

WHEREAS, the athletic competition--exclusively for full-time public career firefighters, police officers and their retirees--will see contestants vie for gold, silver and bronze medallions in basketball, benchpress, bodybuilding, bowling, cross country, cycling, equestrian, golf, muster, pistol, softball, tennis, volleyball and wrestling; and

WHEREAS, the Games will open with a March of Athletes at Kuntz Soccer Center, and end with a closing mixer featuring grilled ribs at the White River Park Canal; and

WHEREAS, the local police and firefighters are looking forward to showing their peers why Indianapolis is THE PLACE for sports, and to place the city in the limelight in its bid to host the 1999 World Police and Fire Games; now, therefore:

### **BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Indianapolis City-County Council recognizes and welcomes all participating athletes, spouses, judges, sponsors, volunteers and hosts to the 1994 Police and Fire Sports Festival.

SECTION 2. The Council gives a special commendation to all those local residents who have helped plan and coordinate the Festival.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

May 9, 1994

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 286, 1994. This proposal, sponsored by Councillor McClamroch, recognizes Astronaut Dr. David A. Wolf. Councillor McClamroch read the resolution and presented a copy of the document to Dr. Wolf's mother. Greg Silvers, friend of the Wolf family, expressed appreciation for the recognition. Councillor McClamroch moved, seconded by Councillor Curry, for adoption. Proposal No. 286, 1994 was adopted by unanimous voice vote.

Proposal No. 286, 1994 was retitled SPECIAL RESOLUTION NO. 36, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 36, 1994

A SPECIAL RESOLUTION recognizing Astronaut Dr. David A. Wolf.

WHEREAS, Dr. David A. Wolf is the first person from Indianapolis to fly in space; and

WHEREAS, Dr. Wolf is a 1974 graduate of Washington Township's North Central High School, and a graduate of Purdue University and Indiana University School of Medicine, after which he did his medical internship at Indianapolis' Methodist Hospital; and

WHEREAS, Dr. Wolf qualified as a National Aeronautics and Space Administration (NASA) astronaut in 1991, and on October 18, 1993, boarded Space Shuttle Columbia for its 225 orbits around the Earth in a record setting fourteen day duration; and

WHEREAS, during this ride-of-a-lifetime, the crew performed 16 engineering tests and 20 extended duration medical experiments; and

WHEREAS, Dr. Wolf's skill and courage reflect the highest credit upon himself and upon his home community; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council, representing the people of this city, does hereby recognize the achievements of Astronaut David A. Wolf who is the first Indianapolis native to fly in space.

SECTION 2. The Council hereby congratulates Dr. Wolf for his achievements and thanks him for the positive image he displays for this city.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 287, 1994. This proposal, sponsored by Councillor Coughenour, concerns the former Tennessee Street. Councillor Coughenour read the resolution and presented a copy of the document to Dixie Webb Dittfurth, representing Tennessee's Governor Ned McWherter, who expressed appreciation for the resolution. Also present from the Indiana-Tennessee Civil War Memorial Commission were William H. Hendley, Chairman, Harry and Norma Johnson, Elizabeth and Bruce LeMond, and Ivan D. Lancaster. Councillor Coughenour moved, seconded by Councillor Beadling, for adoption. Proposal No. 287, 1994 was adopted by unanimous voice vote.

Proposal No. 287, 1994 was retitled SPECIAL RESOLUTION NO. 37, 1994 and reads as follows:



CITY-COUNTY SPECIAL RESOLUTION NO. 37, 1994

A SPECIAL RESOLUTION concerning the former Tennessee Street.

WHEREAS, Tennessee Street was originally laid out in the Indianapolis town plat of 1821, and was renamed Capitol Avenue by the city common council in 1894; and

WHEREAS, May 30, 1994, marks the centennial of the renaming of Tennessee Street and the beginning of preparations by the Indiana-Tennessee Civil War Memorial Commission to commemorate the bicentennial of the State of Tennessee in 1996; and

WHEREAS, there are strong historical ties between Indiana and Tennessee including a wave of migration to Indiana during the Hoosier State's pioneer days, and special tributes by Tennessee citizens to Hoosier Col. Richard Owen for his humanitarian treatment of Civil War Confederate prisoners at Camp Morton in Indianapolis; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council asks that appropriate historical signage be placed along Capitol Avenue in the vicinity of the Indiana State Capitol Building noting that this important roadway was formerly named Tennessee Street, and that such signage be erected for dedication by June 1, 1996.

SECTION 2. The Council extends its best wishes to those organizers and participants who during the next two years will be commemorating the many historical ties between Indiana and Tennessee.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 265, 1994. The proposal, sponsored by Councillor McClamroch, appoints Suellen Hart as Clerk of the Council. Councillor McClamroch stated that Mrs. Hart is extremely qualified for the position, and by a 5-0 vote, the Rules and Public Policy Committee reported the proposal to the Council with the recommendation that it do pass. Councillor McClamroch moved, seconded by Councillor Boyd, for adoption.

Councillor Jimison voiced her approval of the appointment and stated that Mrs. Hart has always demonstrated her concern for all the Councillors. Proposal No. 265, 1994 was adopted by a unanimous voice vote.

Proposal No. 265, 1994 was retitled COUNCIL RESOLUTION NO. 65, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 65, 1994

A COUNCIL RESOLUTION appointing Suellen Hart as Clerk of the Council.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Suellen Hart is hereby appointed Clerk of the Council for a term ending the first regular Council meeting in 1995 and until her successor is appointed and qualifies.

SECTION 2. This resolution shall be in effect from and after adoption.

## INTRODUCTION OF PROPOSALS

PROPOSAL NO. 275, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving a public purpose grant in the amount of \$65,000 to Indiana University for the purpose of financing educational access cable television programming for Marion County"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 276, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for FISCAL ORDINANCE appropriating \$318,100 for the County Coroner to cover the following costs through the end of the year: (1) salary of one full-time autopsy assistant, (2) contractual agreements for three pathologists, six investigative deputy coroners and one part-time autopsy assistant, and (3) tuition and instruction"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 277, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Revised Code concerning the Marion County Information Services Board"; and the President referred it to the Administration and Finance Committee.

[Clerk's Note: Proposal No. 278, 1994 was withdrawn.]

PROPOSAL NO. 279, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving the Public Housing Division's plan to replace 81 units of public housing"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 280, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for FISCAL ORDINANCE appropriating \$73,650 for the Superior Court, Criminal Division, Probation Department, to utilize a federal grant to computerize the department"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 281, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for FISCAL ORDINANCE appropriating \$24,550 for the Superior Court, Criminal Division, Probation Department, to provide the 25% matching funds necessary for the federal grant awarded to the department to be used solely for computerization"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 282, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for FISCAL ORDINANCE appropriating \$114,000 for the County Auditor to cover costs associated with preparing the Marion County Hazardous Materials Response Plan and providing the community with the Right-to-Know information"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 283, 1994. Introduced by Councillors Giffin, Golc and Short. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a change in speed limits for segments of Raymond Street and Airport



Expressway (Districts 17, 19, 21)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 284, 1994. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by deleting one-way traffic flow on Pennsylvania Street between 30th Street and 28th Street; removing traffic signals at Pennsylvania Street and 30th Street and Pennsylvania Street and 29th Street; and authorizing no parking on the east side of Pennsylvania Street from 28th Street to 29th Street (District 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 296, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing John A. Borgerding as Chief Financial Officer to the Council"; and the President referred it to the Rules and Public Policy Committee.

### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NOS. 288-295, 1994. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on May 6, 1994." The Council did not schedule Proposal Nos. 288-295, 1994 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 288-295, 1994 were retitled REZONING ORDINANCE NOS. 52-59, 1994 and are identified as follows:

REZONING ORDINANCE NO. 52, 1994. 94-Z-43 (Amended) LAWRENCE TOWNSHIP.  
COUNCILMANIC DISTRICT #5.

11875 PENDLETON PIKE (approximate address), INDIANAPOLIS.

ACMG, INC., by Edward Williams, requests the rezoning of 5.32 acres, being in the C-3 and D-A Districts, to the C-3 classification to provide for commercial development.

REZONING ORDINANCE NO. 53, 1994. 94-Z-52 WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT #16.

1626 KESSLER BOULEVARD NORTH DRIVE (approximate address), INDIANAPOLIS.

16TH AND KESSLER ASSOCIATES, by Thomas R. Neal, requests the rezoning of 0.585 acre, being in the C-1 District, to the D-5 classification to provide for the construction of a two-family dwelling.

REZONING ORDINANCE NO. 54, 1994. 94-Z-54 WASHINGTON TOWNSHIP.  
COUNCILMANIC DISTRICT #7.

599 WEST WESTFIELD BOULEVARD (approximate address), INDIANAPOLIS.

MICHAEL and AGNETA NASCH, by Joseph M. Scimia, request the rezoning of 1.23 acres, being in the C-1 and D-5 Districts, to the D-8 classification to conform zoning to the existing multi-family residential development.

REZONING ORDINANCE NO. 55, 1994. 94-Z-61 (Amended) LAWRENCE TOWNSHIP.  
COUNCILMANIC DISTRICT #5.

7902 NORTH COUNTY LINE ROAD (approximate address), INDIANAPOLIS.

THOMPSON LAND COMPANY, INC., by Thomas Michael Quinn, requests the rezoning of 80 acres, being in the D-A District, to the D-4 classification to provide for residential development.

REZONING ORDINANCE NO. 56, 1994. 94-Z-62 PERRY TOWNSHIP.  
COUNCILMANIC DISTRICT #25.

7982 SOUTH MERIDIAN STREET (approximate address), INDIANAPOLIS.

May 9, 1994

METROPOLITAN SCHOOL DISTRICT OF PERRY TOWNSHIP, by Louis H. Borgmann, requests the rezoning of 2.14 acres, being in the D-4 District, to the SU-2 classification to provide for athletic fields for an existing middle school.

REZONING ORDINANCE NO. 57, 1994. 94-Z-63 PERRY TOWNSHIP.  
COUNCILMANIC DISTRICT #24.

5817 SOUTH KEYSTONE AVENUE (approximate address), INDIANAPOLIS.

METROPOLITAN SCHOOL DISTRICT OF PERRY TOWNSHIP, by Louis H. Borgmann, requests the rezoning of 2.70 acres, being in the D-A District, to the SU-2 classification to provide for school's use, associated with an adjacent middle school.

REZONING ORDINANCE NO. 58, 1994. 94-Z-64 DECATUR TOWNSHIP.  
COUNCILMANIC DISTRICT #19.

6450 WEST HANNA AVENUE (approximate address), INDIANAPOLIS.

DOGLOO, INC., by Joseph M. Scimia, requests the rezoning of 2.3 acres, being in the I-2-S District, to the I-3-S classification to provide for expansion of an existing industrial building.

REZONING ORDINANCE NO. 59, 1994. 94-Z-69 PERRY TOWNSHIP.  
COUNCILMANIC DISTRICT #24.

4402 9TH AVENUE (approximate address), CITY OF BEECH GROVE.

FOUNDERS DEVELOPMENT CORPORATION, by Joseph M. Scimia, requests the rezoning of 21.872 acres, being in the D-P District, to the D-3 classification to provide for a single-family residential development.

### SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 26, 1994. The proposal, sponsored by Councillor Franklin, appropriates \$8,413 for the Superior Court, Criminal Division, Room Five, to fund an additional clerk's position. Councillor Dowden asked for consent to postpone Proposal No. 26, 1994 until June 27, 1994. Consent was given.

PROPOSAL NO. 237, 1994. Councillor Rhodes stated that he was not present at the May 2nd Administration and Finance Committee meeting and that Councillor Coughenour chaired the meeting. Councillor Coughenour reported that the Administration and Finance Committee heard Proposal No. 237, 1994 on May 2, 1994. The proposal appropriates \$137,209 for the Information Services Agency to consolidate City-County government data circuit management under its administration. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 7:37 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Black, for adoption. Proposal No. 237, 1994 was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith, West*

0 NAYS:

4 NOT VOTING: *Franklin, Gray, Short, Williams*

Proposal No. 237, 1994 was retitled FISCAL ORDINANCE NO. 34, 1994 and reads as follows:

#### CITY-COUNTY FISCAL ORDINANCE NO. 34, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional One Hundred Thirty-seven Thousand Two Hundred Nine Dollars



(\$137,209) in the County General Fund for purposes of the Information Services Agency and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (k) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Information Services Agency to consolidate City-County government data circuit management under its administration, to be financed by charges to the affected agencies.

SECTION 2. The sum of One Hundred Thirty-seven Thousand Two Hundred Nine Dollars (\$137,209) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>INFORMATION SERVICES AGENCY</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	\$137,209
TOTAL INCREASE	\$137,209

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	\$137,209
TOTAL REDUCTION	\$137,209

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 241 and 242, 1994. The President ruled that these two proposals would be voted on together. PROPOSAL NO. 241, 1994. The proposal establishes the Parks Project Revenue Fund as a non-reverting operating fund. PROPOSAL NO. 242, 1994. The proposal authorizes the issuance and sale of bonds of the City for the purpose of procuring funds to pay for the construction, reconstruction and repair of certain park facilities and appropriates an amount not to exceed \$6,700,000. Councillor Giffin reported that the Parks and Recreation Committee heard Proposal Nos. 241 and 242, 1994 on May 5, 1994. Proposal No. 241, 1994 establishes a Parks Project Revenue Fund as a mechanism to repay the debt service on the bonds to be issued by Proposal No. 242, 1994. The purpose of these bonds will be for the renovation of Coffin Municipal Golf Course. Proposal No. 242, 1994 also changes the bond structuring on Whispering Hills Municipal Golf Course from a short-term bond to a long-term bond. By 7-0-1 votes, the Committee reported the proposals to the Council with the recommendation that they do pass as amended.

Councillor Gilmer asked if this is in addition to the Capital Improvement Program (CIP). James Steele, Jr., City Controller, answered that this is separate from CIP.

The President called for public testimony at 7:45 p.m. There being no one present to testify, Councillor Giffin moved, seconded by Councillor Schneider, for adoption. Proposal Nos. 241 and 242, 1994, as amended, were adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
0 NAYS:

2 NOT VOTING: Franklin, Rhodes

Councillor Rhodes stated that he abstained due to a conflict of interest.

Proposal No. 241, 1994, as amended, was retitled GENERAL ORDINANCE NO. 62, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 62, 1994

A GENERAL ORDINANCE of the City of Indianapolis, Indiana (the "City") and the County of Marion, Indiana (the "County") authorizing the establishment of a special non-reverting operating fund for the purposes of depositing certain monies and repaying certain City Bonds each as described below pursuant to the request of the Board of Parks and Recreation (the "Board") on behalf of the Department of Parks and Recreation (the "Department") in its resolution dated April 14, 1994 (the "Resolution") and as authorized by IC 36-10-4-16.

WHEREAS, the Department has determined that there are insufficient funds available or provided for in the existing budget and tax levy which may be applied to the costs of construction, reconstruction, acquisition and repair of certain park facilities and improvements in the City and the County; and

WHEREAS, the Board has determined that it would be in the best interest of the City, the County and its citizens to (i) provide for the construction, reconstruction, acquisition and repair of park facilities and improvements now or hereafter designated by the Department located within the County (each a "Project" and collectively, the "Projects"), including, where necessary, acquiring land or rights-of-way for such purposes together with all expenses necessary and incidental thereto and (ii) provide for the refunding of a certain borrowing, currently outstanding in the form of an interfund loan, used to construct a nine hole golf course and golf related facilities at the Whispering Hills Municipal Golf Course (the "Refunding"), by the creation of a separate fund into which certain revenues, including all or a portion of those related to such Projects, may be deposited and the issuance of certain revenue bonds of the City payable therefrom; and

WHEREAS, IC 36-10-4-16 provides that the City-County Council of the City and the County (the "City-County Council") may borrow money for the use of the Department and may issue the bonds of the City ("City Bonds") to pay back the borrowed money in the manner provided by statute for the issuance of such bonds for the general purposes of the City; and

WHEREAS, IC 36-10-4-16 provides that upon the request of the Department, the City-County Council may establish by ordinance a special non-reverting operating fund for park purposes from which expenditures may be made as provided by ordinance; and

WHEREAS, the Department has requested in its Resolution that the City-County Council establish a special non-reverting operating fund pursuant to IC 36-10-4-16 (the "Parks Project Revenue Fund"); and

WHEREAS, the Board desires to continuously appropriate all monies from time to time accumulated in the Parks Project Revenue Fund for the payment of debt service on any City Bonds hereafter issued as prescribed in the trust indenture authorizing the issuance of such City Bonds; and

WHEREAS, the City desires to continuously appropriate all monies from time to time accumulated in the Parks Project Revenue Fund for the payment of debt service on any City Bonds hereafter issued as prescribed in the trust indenture authorizing the issuance of such City Bonds; and

WHEREAS, the Department initially desires to (i) provide for the renovation and improvement of the existing golf course and related facilities at the Coffin Municipal Golf Course (the "Initial Project") and (ii) provide for the Refunding; and

WHEREAS, the Board desires that all "Revenues" (defined as all revenues received by the Department from the operation of the Initial Project, all revenues received by the Department from the operation of those municipal golf courses designated and pledged in the trust indenture (the "Indenture") authorizing the issuance of such City Bonds) be deposited upon receipt into the Parks Project Revenue Fund in order to adequately provide for debt service payments when due on all City Bonds issued, the proceeds of which are used for or otherwise related to the Initial Project or other Projects, all as prescribed in the Indenture.

WHEREAS, the City-County Council now finds that the Parks Project Revenue Fund is necessary and will be of general benefit to the City, the County and its citizens; now, therefore:



BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Revised Code of the Consolidated City and County be, and is hereby amended by adding a new section in Article III of Chapter 135 to read as follows:

Sec. 135-451. The City-County Council hereby establishes the Parks Project Revenue Fund as a non-reverting operating fund of the Department of Parks and Recreation pursuant to IC 36-10-4-16.

Sec. 135-452. The Revenues, received by the department from the operation of the city's existing A. J. Thatcher Municipal Golf Course, Douglass Municipal Golf Course, Sahm Municipal Golf Course, Sarah Shank Municipal Golf Course and Pleasant Run Municipal Golf Course, shall be deposited into the Parks Project Revenue Fund in order to adequately provide for debt service payments when due on all City Bonds issued, the proceeds of which are used for or otherwise related to the Initial Project or other Projects, all as prescribed in the Indenture.

Sec. 135-453. The City hereby continuously appropriates all monies from time to time accumulated in the Parks Project Revenue Fund to the payment of debt service on the City Bonds (as authorized by a separate special ordinance of this City-County Council) as prescribed in the trust indenture authorizing the issuance of the City Bonds without the need for further action or authorization from this City-County Council.

Sec. 135-454. Monies from time to time accumulated in the Parks Project Revenue Fund may only be (a) used to provide for the payment of debt service on the City Bonds and other Project expenditures, (b) used to provide for the payment of capital or operating expenditures for golf-related purposes, as determined by the Board or (c) transferred to the golf general fund of the Department, as determined by the Board, or some combination thereof; provided any such use or transfer shall be in the manner prescribed and permitted by the trust indenture authorizing the issuance of the City Bonds.

Sec. 135-455. The City-County Council hereby authorizes and directs any officers of the City, and each of them, for and on behalf of the City, and hereby authorizes and directs any officers of the County, and each of them, for and on behalf of the County, to take any actions as such officer determines is necessary or appropriate to consummate the terms contemplated by or to accomplish purposes of this Special Ordinance, such determination to be conclusively evidenced by such officers taking of such actions.

Sec. 135-456. After sale of any City Bonds, this general ordinance shall be irrevocable and shall not be amended until all the City Bonds, including additional bonds (as prescribed in the trust indenture authorizing the issuance of the City Bonds) have been paid in full or are deemed no longer outstanding in accordance with the provisions of such indenture.

SECTION 2. This general ordinance shall rescind and repeal any portion of any special ordinances or general ordinances of the City or County which conflict with the terms hereof.

SECTION 3. This general ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 242, 1994, as amended, was retitled SPECIAL ORDINANCE NO. 7, 1994 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 7, 1994

A SPECIAL ORDINANCE of the City of Indianapolis, Indiana and the County of Marion, Indiana, authorizing the issuance and sale of bonds of the City for the purpose of procuring funds to pay for the construction, reconstruction and repair of certain park facilities and improvements within the City's jurisdiction and the refunding of the City's borrowing, currently outstanding in the form of an interfund loan, used to construct a nine-hole golf course and golf related facilities at the Whispering Hills Municipal Golf Course, including all expenses in connection with or on account of the issuance of bonds therefor, and appropriating an amount not to exceed Six Million Seven Hundred Thousand Dollars (\$6,700,000) for such purposes.

WHEREAS, there are insufficient funds available or provided for in the existing budget and tax levy which may be applied to the costs of construction, reconstruction, acquisition and repair of certain park facilities and improvements in the City of Indianapolis (the "City") and the County of Marion, Indiana (the "County"); and

May 9, 1994

WHEREAS, the Board of Parks and Recreation of the City of Indianapolis, Indiana (the "Board") has determined that it would be in the best interest of the City, the County and its citizens to provide for the construction, reconstruction, acquisition and repair of certain park facilities and improvements now or hereafter designated by the Department of Parks and Recreation (the "Department") located within the County (each a "Project and collectively, the "Projects"), including, where necessary, acquiring land or rights-of-way for such purposes together with all expenses necessary and incidental thereto, by the creation of a separate fund into which certain revenues, including all or a portion of those related to such Projects, may be deposited and the issuance of certain revenue bonds of the City ("City Bonds") payable therefrom; and

WHEREAS, the Department initially desires to provide for the renovation and improvement of the existing golf course and related facilities at the Coffin Municipal Golf Course (the "Initial Project") and the refunding of the City's borrowing, currently outstanding in the form of an interfund loan, used to construct a nine-hole golf course and golf related facilities at the Whispering Hills Municipal Golf Course (the "Refunding"); and

WHEREAS, the Initial Project and Refunding have an estimated total cost not to exceed Seven Million Dollars (\$7,000,000), which includes all expenses necessary and incidental thereto and all expenses in connection with or on account of the issuance of the City Bonds therefor; and

WHEREAS, the cost of the Initial Project and Refunding necessitates a further appropriation, and a request for such appropriation in an amount not to exceed Six Million Seven Hundred Thousand Dollars (\$6,700,000) for these purposes has been filed, which request has been approved by the City Controller with the recommendation that the total funds necessary to cover the appropriation be obtained by the issuance and sale of the City Bonds; and

WHEREAS, pursuant to projections of the Department, it is anticipated that such City Bonds can be repaid with (1) revenues from the operation of the Initial Project, (2) additional revenues the Department shall make available from the operation of those municipal golf courses designated and pledged in the trust indenture authorizing the issuance of such City Bonds and (3) revenues generated by the incremental increase in property taxes from the Brookville/Senour Economic Development Area established by the Metropolitan Development Commission acting as the Redevelopment Authority of the City on August 19, 1987; and

WHEREAS, certain costs and expenses related to the Initial Project and Refunding have been and will have to be paid prior to the issuance of the City Bonds from cash on hand and proceeds of prior borrowings of the City, and the Department desires to reimburse such advanced funds from the proceeds of the City Bonds when issued; and

WHEREAS, this City-County Council of the City and the County (the "City-County Council") did not include the proceeds of said City Bonds in the regular budget; and

WHEREAS, the Clerk of this City-County Council has caused notice of a hearing on said appropriation to be published as required by law; and

WHEREAS, such public hearing on said appropriation was held at the meeting of this City-County Council on May 9, 1994, at 7:00 p.m. E.S.T., in the Public Assembly Room, on the Second Floor of the City-County Building, Indianapolis, Indiana, at which all taxpayers and interested persons had an opportunity to appear and express their views as to such additional appropriation; and

WHEREAS, IC 5-1.4 provides that a "qualified entity," which term includes the City, may issue and sell its bonds to The Indianapolis Local Public Improvement Bond Bank (the "Bond Bank"); and

WHEREAS, the Executive Director of the Bond Bank has expressed a willingness to purchase the City Bonds in a negotiated sale subject to approval by the Board of Directors of the Bond Bank; and

WHEREAS, the City-County Council has determined that it will be in the best interest of the City to sell the City Bonds to the Bond Bank in a negotiated sale; and

WHEREAS, the City-County Council now finds that the Project is necessary and will be of general benefit to the City of Indianapolis, Indiana, and its citizens; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Department, on behalf of the City, shall proceed with the Initial Project and the Refunding.



SECTION 2. The City shall enter into a loan in an amount not to exceed Six Million Seven Hundred Thousand Dollars (\$6,700,000) for the purpose of (i) procuring funds to pay for the Initial Project and the Refunding, including all expenses in connection with or on account of the issuance of the City Bonds, and (ii) reimbursing the Department for costs and expenses related to the Initial Project paid prior to the issuance of the City Bonds, to the extent such reimbursement is permitted by law.

In order to procure the funds for said loan, the Controller of the City is hereby authorized and directed to have prepared and to issue and sell to the Bond Bank the City Bonds, which shall be designated as "City of Indianapolis Parks Project Revenue Bonds, Series 1994A, in an amount not to exceed Six Million Seven Hundred Thousand Dollars (\$6,700,000). The City Bonds shall be issued pursuant to a trust indenture similar in form and substance to the Trust Indenture attached hereto as Appendix A (the "Indenture").

The City Bonds shall have a final maturity no later than December 31, 2017, in amounts negotiated with the Bond Bank, shall have a net interest cost (including any original issue discount) which does not exceed seven and one-quarter percent (7.25%), shall be sold at par or with a discount which does not exceed three percent (3%), shall be in a form similar in substance and content to the form(s) of the bond(s) contained in the Indenture and shall be secured by the irrevocable pledge of the Revenues (as defined in the Indenture).

The City Bonds or a portion thereof may be redeemable prior to maturity at a premium not to exceed one hundred two percent (102%) upon terms and conditions as are further detailed through negotiation with the Bond Bank by the Controller of the City (the "Controller") and the Mayor of the City (the "Mayor") consistent with the best interests of the City and the terms of this Ordinance. City Bonds redeemed in part may be exchanged for a bond or bonds of the same maturity in authorized denominations equal to the remaining principal amount.

SECTION 3. The Clerk of the City-County Council (the "Clerk") shall cause to be posted and published, notice of the decision to issue the City Bonds. The Clerk is hereby directed to deliver a certified copy of this Ordinance to the Controller.

SECTION 4. The Controller and the Mayor are hereby authorized and directed to sell the City Bonds issued pursuant to the Indenture to the Bond Bank at a negotiated sale.

Prior to delivery of the City Bonds, the Controller shall obtain a legal opinion as to the validity of the City Bonds and shall furnish such opinion addressed to the Bond Bank. The cost of said opinion shall be considered as part of the costs incidental to these proceedings and shall be paid out of proceeds of the City Bonds or the bonds issued by the Bond Bank.

SECTION 5. The City-County Council hereby authorizes and directs the Mayor, the Controller, the Clerk, the Treasurer of the County, ex-officio Treasurer of the City, the Director of the Department of Parks and Recreation of the City or any other officer of the City and each of them, for and on behalf of the City, to prepare, execute and deliver any and all other instruments, letters, certificates, agreements and documents as the official executing the same determines is necessary or appropriate to consummate the transactions contemplated by this Ordinance, and such determination shall be conclusively evidenced by the execution thereof. The Indenture, the Bond Purchase Agreement and the City Bonds contemplated by this Ordinance shall, upon execution, as contemplated herein, constitute the valid, legal and binding obligations of the City, the full performance and satisfaction of which by the City is hereby authorized and directed.

SECTION 6. The City-County Council hereby approves the Indenture, the forms of the City Bonds contained therein and the Bond Purchase Agreement by which the City Bonds are to be sold to the Bond Bank in the form attached hereto as Appendix B and the Mayor is hereby authorized and directed to execute, and the Clerk is hereby authorized and directed to attest and affix the seal of the City to, the Indenture, the bonds in the form(s) attached to the Indenture as Exhibits and the Bond Purchase Agreement with such changes and revisions thereto as they deem necessary or appropriate to consummate the transaction contemplated hereby if such changes do not increase the interest rates, principal amount or discount in excess of that authorized in Section 2 or increase the security or revenues pledged in the Indenture as attached hereto and such execution and attestation shall be conclusive evidence of their approval of such changes and revisions. The Indenture, the City Bonds and the Bond Purchase Agreement in the forms executed shall constitute the valid, legal and binding agreements of the City, the full performance and satisfaction of which by the City is hereby authorized and directed.

SECTION 7. The City-County Council hereby authorizes the revision of the Indenture, Bonds and related documents to include a debt service reserve fund, should such revisions be deemed desirable by the City

May 9, 1994

Controller and the Executive Director of the Bond Bank in order to market the City Bonds or the related Bond Bank Bonds.

SECTION 8. The Mayor is hereby authorized to execute the City Bonds with his manual or facsimile signature, and the Clerk is hereby authorized to attest the City Bonds with her manual or facsimile signature, and cause the seal of the City to be impressed or a facsimile thereof to be printed on the City Bonds, all in the form and manner herein provided. Upon the consummation of the sale of the City Bonds, the Controller and the Treasurer of the County, ex-officio Treasurer of the City, shall be authorized to receive from the Bond Bank the amount to be paid for the City Bonds and deliver the City Bonds to the Bond Bank in the manner provided by law.

SECTION 9. The City-County Council hereby authorizes and directs any officers of the City, and each of them, for and on behalf of the City, and hereby authorizes and directs any officers of the County, and each of them, for and on behalf of the County, to prepare, execute and deliver any and all instruments, letters, certificates, agreements or documents as the officer executing the same determines are necessary or appropriate to effect this pledge of the Revenues (as defined in the Indenture) and to consummate the transactions described in this Ordinance and the Appendices hereto, such determination to be conclusively evidenced by such officer's execution thereof.

SECTION 10. The City-County Council hereby authorizes and directs any officers of the City, and each of them, for and on behalf of the City, and hereby authorizes and directs any officers of the County, and each of them, for and on behalf of the County, to take any actions as such officer determines is necessary or appropriate to consummate the transactions contemplated by or to accomplish the purposes of this Special Ordinance, such determination to be conclusively evidenced by such officer's taking of such action.

SECTION 11. After passage and upon execution of the Bond Purchase Agreement by the Mayor and attestation by the City Clerk, this Special Ordinance shall be irrevocable and shall not be amended until all the City Bonds, including Additional bonds (as defined in the Indenture) have been paid in full or are deemed no longer outstanding in accordance with the provisions of said Indenture.

SECTION 12. The proceeds derived from the sale of the City Bonds herein authorized to be issued and all investment earnings thereon shall be, and they hereby are, appropriated by the City-County Council for the purpose of procuring funds to pay for the Project and Refunding including, where necessary, the cost of acquiring land or rights-of-way for such purposes, including all expenses in connection with or on account of the issuance of bonds therefor.

SECTION 13. Such appropriation shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the activities described in Section 11 above. Any surplus of such proceeds shall be credited to the proper fund as provided by law.

SECTION 14. The Clerk of the City-County Council is hereby authorized and directed to certify a copy of this Special Ordinance together with such other proceedings and actions as may be necessary to the Marion County Auditor for certification to the State Board of Tax Commissioners for the purpose of complying with IC 6-1.1-18-5.

SECTION 15. This Special Ordinance shall rescind and repeal any portions of any special ordinances or general ordinances of the City or County which conflict with the terms hereof if the conflict would have a material adverse impact on the City Bonds, the security for the City Bonds or the Indenture.

SECTION 16. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

APPENDIX A  
TRUST INDENTURE  
BY AND BETWEEN  
THE CITY OF INDIANAPOLIS  
and

\_\_\_\_\_, TRUSTEE,  
REGISTRAR AND PAYING AGENT  
CITY OF INDIANAPOLIS  
PARKS PROJECT REVENUE BONDS  
SERIES 1994 A AND SERIES 1994 B

Dated as of \_\_\_\_\_, 1994  
\$ \_\_\_\_\_



**TABLE OF CONTENTS**

(This Table of Contents is not a part of the Trust Indenture and is only for convenience of reference).

	<u>Page</u>
<b>GRANTING CLAUSES</b> .....	12
<b>ARTICLE I</b>	
<b>DEFINITIONS AND OTHER PROVISIONS OF GENERAL APPLICATION</b> .....	13
Section 1.01. <u>Definitions</u> .....	13
Section 1.02. <u>Interpretation</u> .....	21
Section 1.03. <u>Acts of Owners</u> .....	22
Section 1.04. <u>Exhibits</u> .....	22
<b>ARTICLE II</b>	
<b>TERMS AND PROVISIONS OF THE BONDS</b> .....	22
Section 2.01. <u>Principal Amount, Designation and Series</u> .....	22
Section 2.02. <u>Purpose</u> .....	22
Section 2.03. <u>Terms of Bonds</u> .....	23
Section 2.04. <u>Issue Date</u> .....	25
Section 2.05. <u>Maturities and Interest Rates</u> .....	25
Section 2.06. <u>Registrar and Paving Agent</u> .....	25
Section 2.07. <u>Sale of Series 1994 Bonds</u> .....	25
Section 2.08. <u>Delivery</u> .....	26
Section 2.09. <u>Source of Payment of Bonds</u> .....	26
Section 2.10. <u>Execution</u> .....	26
Section 2.11. <u>Authentication</u> .....	26
Section 2.12. <u>Delivery of the Series 1994 Bonds</u> .....	26
Section 2.13. <u>Additional Bonds</u> .....	26
Section 2.14. <u>Mutilated, Lost, Stolen or Destroyed Bonds</u> .....	28
Section 2.15. <u>Equality of Lien</u> .....	28
Section 2.16. <u>Indenture to Constitute Contract</u> .....	28
Section 2.17. <u>Exchangeability of Bonds</u> .....	28
Section 2.18. <u>Negotiability, Transfer and Registration</u> .....	28
Section 2.19. <u>Transfer of Bonds</u> .....	29
Section 2.20. <u>Regulations with Respect to Exchanges and Transfers</u> .....	29
Section 2.21. <u>Cancellation and Destruction of Bonds</u> .....	29
Section 2.22. <u>Form of Series 1994 Bonds</u> .....	29
<b>ARTICLE III</b>	
<b>REDEMPTION OF BONDS</b> .....	30
Section 3.01. <u>Redemption of Bonds</u> .....	30
Section 3.02. <u>Notice of Redemption</u> .....	30
Section 3.03. <u>Selection of Bonds to be Redeemed</u> .....	30
Section 3.04. <u>Redemption Payments</u> .....	30
Section 3.05. <u>Cancellation</u> .....	31
Section 3.06. <u>Release Concerning Redeemed Bonds</u> .....	31
<b>ACCOUNTS, INVESTMENTS AND RELATED MATTERS</b> .....	31
Section 4.01. <u>Establishment of Accounts</u> .....	31
Section 4.02. <u>Identification of Accounts</u> .....	31
Section 4.03. <u>Construction Account</u> .....	32
Section 4.04. <u>Debt Service Account</u> .....	34
Section 4.05. <u>Rebate Account</u> .....	35
Section 4.06. <u>Application of Bond Proceeds, Accrued Interest and Premium</u> .....	35
Section 4.07. <u>Investment of Certain Funds</u> .....	35
Section 4.08. <u>Valuation and Sale of Investments</u> .....	36

ARTICLE V

<b>COVENANTS REGARDING BONDS, PROJECTS AND SOURCES OF REVENUE</b>	36
Section 5.01. <u>Authority For Bonds</u>	36
Section 5.02. <u>Payment of Principal, Premium and Interest</u>	37
Section 5.03. <u>Payment of Trustee's and the Bondholders' Costs and Expenses</u>	37
Section 5.04. <u>Parks Project Revenue Fund</u>	37
Section 5.05. <u>Right to the Use and Occupancy of the Facilities and Not to Encumber Same</u>	37
Section 5.06. <u>Construction of Projects</u>	37
Section 5.07. <u>Maintenance, Repairs, Application of Revenues, Operation of Facilities</u>	37
Section 5.08. <u>Taxes</u>	38
Section 5.09. <u>Rates and Charges</u>	38
Section 5.10. <u>Sale, Transfer, Abandonment or Other Disposition of Facilities</u>	38
Section 5.11. <u>Inspection of Facilities by Trustee or Bondholders</u>	39
Section 5.12. <u>Record Keeping</u>	39
Section 5.13. <u>Inspection of Records by Trustee</u>	39
Section 5.14. <u>Tax Exempt Status of Bonds</u>	39
Section 5.15. <u>Additional Security</u>	39

ARTICLE VI

<b>MATTERS CONCERNING THE TRUSTEE, REGISTRAR AND PAYING AGENT</b>	40
Section 6.01. <u>Appointment and Acceptance of Duties of Trustee</u>	40
Section 6.02. <u>Responsibility of the Trustee and Registrar and Paying Agent</u>	40
Section 6.03. <u>Evidence on Which Trustee and Registrar and Paying Agent May Act</u>	40
Section 6.04. <u>Compensation</u>	40
Section 6.05. <u>Permitted Acts and Functions</u>	41
Section 6.06. <u>Resignation of Trustee and/or Registrar and Paying Agent</u>	41
Section 6.07. <u>Removal of Trustee and/or Registrar and Paying Agent</u>	41
Section 6.08. <u>Appointment of Successor Trustee or Registrar and Paying Agent</u>	41
Section 6.09. <u>Transfer of Rights and Property to Successor Trustee</u>	42
Section 6.10. <u>Merger or Consolidation</u>	42
Section 6.11. <u>Adoption of Authentication</u>	42
Section 6.12. <u>Evidence of Signatures of Owners and Ownership of Bonds</u>	42
Section 6.13. <u>Preservation and Inspection of Documents</u>	43

ARTICLE VII

<b>DEFAULT AND REMEDIES</b>	43
Section 7.01. <u>Events of Default</u>	43
Section 7.02. <u>Acceleration</u>	43
Section 7.03. <u>Remedies</u>	44
Section 7.04. <u>Covenant to Pay Trustee Amounts Due on Bonds and Right of Trustee to Judgment</u>	44
Section 7.05. <u>Application of Collection Proceeds</u>	44
Section 7.06. <u>Waiver Not to Impair Subsequent Rights</u>	45
Section 7.07. <u>Trustee May File Proofs of Claim</u>	45
Section 7.08. <u>Trustee May Enforce Claims Without Possession of Bonds</u>	45
Section 7.09. <u>Limitation on Suits</u>	46
Section 7.10. <u>Unconditional Right of Owners to Receive Principal, Premium and Interest</u>	46
Section 7.11. <u>Restoration of Positions</u>	46
Section 7.12. <u>Rights and Remedies Cumulative</u>	46
Section 7.13. <u>Delay or Omission Not Waiver</u>	47
Section 7.14. <u>Control by Owners of Bonds</u>	47
Section 7.15. <u>Suits to Protect the Trust Estate</u>	47
Section 7.16. <u>Remedies Subject to Applicable Law</u>	47

ARTICLE VIII

<b>EVIDENCE OF RIGHTS OF OWNERS</b>	48
Section 8.01. <u>Instruments of Consent</u>	48
Section 8.02. <u>Proof of Execution</u>	48
Section 8.03. <u>Proof of Ownership of Bonds</u>	48
Section 8.04. <u>Bonds Owned by City</u>	48



ARTICLE IX

SUPPLEMENTAL INDENTURES .....	48
Section 9.01. <u>Supplemental Indentures Not Requiring Owner Consent</u> .....	48
Section 9.02. <u>Supplemental Indentures Requiring Owner Consent</u> .....	49
Section 9.03. <u>Effect of Supplemental Indentures</u> .....	49
Section 9.04. <u>Reliance on Opinion of Counsel</u> .....	50

ARTICLE X

DEFEASANCE .....	50
Section 10.01. <u>Discharge and Satisfaction</u> .....	50
Section 10.02. <u>Partial Discharge and Satisfaction</u> .....	50
Section 10.03. <u>City's Liability Terminated</u> .....	51

ARTICLE XI

INSURANCE .....	51
Section 11.01. <u>Fire and Extended Coverage Insurance</u> .....	51
Section 11.02. <u>Application of Insurance Proceeds</u> .....	52
Section 11.03. <u>Insurance Pending Construction</u> .....	52
Section 11.04. <u>Business Interruption Loss Insurance</u> .....	52

ARTICLE XII

MISCELLANEOUS .....	53
Section 12.01. <u>Tax Covenants</u> .....	53
Section 12.02. <u>Performance</u> .....	53
Section 12.03. <u>Compliance With Conditions Precedent</u> .....	53
Section 12.04. <u>Power to Issue Bonds and Pledge Trust Estate</u> .....	53
Section 12.05. <u>Payment of Bonds</u> .....	53
Section 12.06. <u>Extensions of Payment</u> .....	54
Section 12.07. <u>Offices for Servicing Bonds</u> .....	54
Section 12.08. <u>Waiver of Laws</u> .....	54
Section 12.09. <u>Successors and Assigns</u> .....	54
Section 12.10. <u>Benefits of Indenture Limited</u> .....	54
Section 12.11. <u>Waiver of Notice</u> .....	54
Section 12.12. <u>Severability</u> .....	54
Section 12.13. <u>Notice</u> .....	54
Section 12.14. <u>Counterparts</u> .....	55
Section 12.15. <u>No Recourse Against Directors and Officers</u> .....	55
Section 12.16. <u>Governing Law</u> .....	55
Section 12.17. <u>Nonbusiness Days</u> .....	55

EXHIBITS

Exhibit A: Form of Series 1994 A Bond .....	A-1
Exhibit B: Form of Series 1994 B Bond .....	B-1
Exhibit C: Schedule of Capitalized Interest Payments .....	C-1

TRUST INDENTURE  
BY AND BETWEEN  
CITY OF INDIANAPOLIS  
AND

\_\_\_\_\_, TRUSTEE  
REGISTRAR AND PAYING AGENT

THIS TRUST INDENTURE ("Indenture") dated as of the \_\_\_\_ day of \_\_\_\_\_, 1994, by and between the CITY OF INDIANAPOLIS (the "City"), a consolidated city of the first class with home rule powers organized and existing under the laws of the State of Indiana, and \_\_\_\_\_, as Trustee, Registrar and Paying Agent, a banking association duly organized and existing under the laws of the

May 9, 1994

State of Indiana and being duly qualified to accept and administer the trusts hereby created and having its principal place of business in the City of Indianapolis, Indiana ("Trustee," "Registrar" and "Paying Agent"),

WITNESSETH:

WHEREAS, on August 5, 1987, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the "Commission") adopted the Brookville/Senour Economic Development Area Declaratory Resolution, Resolution no. 87-185 (the "Declaratory Resolution"), declaring a certain area within the Indianapolis Redevelopment District as an economic development area pursuant to IC 36-7-15.1-28, designating such areas as the Brookville/Senour Economic Development Area (the "Economic Development Area") and approving an economic development area plan designated as the Brookville/Senour Economic Development Area Plan; and

WHEREAS, on August 19, 1987, the Commission, after giving notice as required by law and holding a public hearing on the Declaratory Resolution, adopted the Brookville/Senour Economic Development Area Confirmatory Resolution, Resolution No. 87-193 confirming the Declaratory Resolution; and

WHEREAS, on October 26, 1987, the City-County Council of the City of Indianapolis and of Marion County, Indiana adopted City-County Special Ordinance No. 17, 1987, approving the designation of the Economic Development Area as established by the Commission under the Declaratory Resolution and the Confirmatory Resolution; and

WHEREAS, the Department of Parks and Recreation ("Department") on December 28, 1988 issued a Park District Bond Anticipation Note in the amount of \$2,855,000 ("1988 Note") to provide funds to acquire property and construct a nine hole golf course and golf related facilities at the Whispering Hills Municipal Golf Course; and

WHEREAS, the Department refinanced the 1988 Note by issuing a Park District Bond Anticipation Note in the Amount of \$3,145,000 on December 17, 1990 ("1990 Note") and refinanced the 1990 Note by issuing a Park District Bond Anticipation Note in the amount of \$3,370,000 on December 11, 1991 ("1991 Note"); and

WHEREAS, the City on June 1, 1993, borrowed \$\_\_\_\_\_ from the City's Sanitary District in the form of an interfund borrowing pursuant to IC 36-9-25-33(c) and IC 36-1-8-4 ("Interfund Loan") to refinance the 1991 Note; and

WHEREAS, the City is authorized by Indiana Code 36-1-4-9 and 6-1.1-20-2, to borrow money and issue bonds; and

WHEREAS, the City desires to repay the Interfund Loan with proceeds from the Series 1994 A Bonds (as defined herein); and

WHEREAS, the City has determined, and does hereby find, that borrowing money to finance the costs of the Initial Project (as defined herein), and issuing bonds to secure the repayment of such borrowing are necessary for the public good; and

WHEREAS, the City will through its Department use the proceeds from the sale of the Series 1994 B Bonds (as defined herein) for the purposes of constructing, reconstructing, acquiring and repairing certain park facilities located within the County (each a "Project and collectively, the "Projects"); and

WHEREAS, the City has by ordinance authorized the issuance of the Series 1994 Bonds (as defined herein) and, in order to provide terms for such Series 1994 Bonds and to secure such Series 1994 Bonds and to provide for their authentication and delivery by the Trustee, the City has duly authorized the execution and delivery of this Indenture; and

WHEREAS, pursuant to I.C. 36-10-4-16, the City has by Ordinance established a non-reverting operating fund (the "Parks Project Revenue Fund") for the benefit of the Parks Department; and

WHEREAS, the City has by ordinance required that certain Revenues (hereinafter defined) be deposited in the Parks Project Revenue Fund to adequately provide for the Bond Payments (as herein defined); and

WHEREAS, the City through action by the City-County Council has herein irrevocably pledged the revenue generated by the incremental increase in property taxes from the Economic Development Area for Bond Payments on the Series 1994 A Bonds; and



WHEREAS, the City through action by the City-County Council has herein irrevocably pledged the Revenues and the funds held in the Parks Project Revenue Fund (hereinafter defined) for Bond Payments; and

WHEREAS, all things have been duly authorized and done by the City which are necessary to make the Series 1994 Bonds, when executed by the City and authenticated and delivered by the Trustee hereunder, the legal, valid and binding obligation of the City, and to constitute this Indenture a legal, valid and binding trust indenture securing the payment of principal of, premium, if any, and interest on the Bonds and a contract to secure the Bonds, all in accordance with the terms of the Bonds and this Indenture;

#### **GRANTING CLAUSES:**

THIS INDENTURE WITNESSETH, the City, in consideration of the premises and of the mutual covenants herein contained, and of the purchase and acceptance of the Bonds by their Owners (as defined herein), and for the purpose of fixing and declaring the terms and conditions upon which the Bonds are to be issued, authenticated, delivered, secured and accepted by all persons who shall from time to time be or become Owners, in order to secure the payment of all Bonds at any time issued and outstanding hereunder and the interest thereon according to their tenor, purpose and effect, and in order to secure the performance and observance of all of the covenants, agreements and conditions therein and herein contained, has executed and delivered this Indenture and has pledged and does hereby pledge, grant a security interest in and assign (i) the Revenues, (ii) the TIF Revenues, (iii) the Accounts established by Article IV and the earnings thereon except the Rebate Account (as defined herein) (such Accounts to be used as stated in this Indenture), (iii) Parks Project Revenue Fund and (iv) any and all other property that may from time to time, by delivery or writing, be subjected to the lien of this Indenture as security for the payment of the principal of, premium, if any, and interest on the Bonds as provided herein and as security for the satisfaction of any other obligation assumed by it in this Indenture in connection with such Bonds to be effective without the recording of this Indenture or any other instrument; and it is mutually agreed and covenanted by and between the parties hereto for the equal and proportionate benefit and security of all and singular the present and future Owners of the Bonds issued and to be issued under this Indenture, without preference, priority or distinction as to lien or otherwise, except as hereinafter otherwise provided, of any one Bond over any other Bond by reason of priority in the issuance, sale or negotiation thereof or otherwise.

TO HAVE AND TO HOLD all said property of every kind and description, real, personal, or mixed, hereby and hereafter (by supplemental indenture or otherwise) granted, bargained, sold, liened, conveyed, assigned, transferred, pledged, set over, or confirmed as aforesaid, or intended, agreed, or covenanted so to be, together with all the appurtenances thereto (said properties including any cash and securities hereafter deposited or required to be deposited with the Trustee being herein collectively referred to as the "Trust Estate") unto the Trustee and its successors and assigns forever;

UPON CONDITION that, if the City, its successors or assigns, shall well and truly pay, or cause to be paid, the principal of, premium, if any, and interest on the Outstanding Bonds according to the true intent and meaning thereof, or there shall be deposited with the Trustee such amounts in such form and in order that none of the Bonds shall remain Outstanding, and shall pay or cause to be paid to the Trustee all sums of money due or to become due to it in accordance with the terms and provisions hereof, then upon the full and final payment of all such sums and amounts secured hereby or upon such deposit, this Indenture and the rights, titles, liens, security interests, and assignments herein granted shall cease, determine, and be void and this Indenture shall be released by the Trustee in due form at the expense of the City, except only as herein provided; otherwise this Indenture to be and remain in full force and effect;

AND IT IS HEREBY COVENANTED AND DECLARED that all the Bonds are to be authenticated and delivered by the Registrar and Paying Agent (hereinafter defined) and the Trust Estate is to be held and applied by the Trustee, subject to the further covenants, conditions, and trusts hereinafter set forth, and the City does hereby covenant and agree, for the equal and proportionate benefit of the Bonds except as herein otherwise expressly provided, as follows:

#### **ARTICLE I DEFINITIONS AND OTHER PROVISIONS OF GENERAL APPLICATION**

Section 1.01. Definitions. In addition to words and terms elsewhere defined in this Indenture, the following words and terms as used in this Indenture and in the Bonds shall have the following meanings unless some other meaning is plainly intended:

May 9, 1994

"Account" means the accounts (including any subaccounts therein) created pursuant to Article IV hereof.

"Accreted Value" means (i) with respect to a Capital Appreciation Bond, the original issued amount as set forth on the face of such Capital Appreciation Bond plus interest accrued from the date of the Capital Appreciation Bond, compounded semiannually on each Interest Payment Date to the date of determination; and (ii) with respect to a Current Interest Bond means the principal amount thereof as set forth on the face of such Current Interest Bond.

"Act" means Indiana Code 5-1-14, 36-3-1 and 36-10-4, and other applicable laws, as amended from time to time.

"Act of an Owner" when used with respect to any Owner or Owners of Bonds has the meaning stated in Section 1.03 hereof.

"Additional Bonds" means obligations of the City issued pursuant to Section 2.13 hereof.

"Authorized Officer" means as to the City, the Mayor or the person acting as the Controller of the City, or any person duly appointed to act in such officer's place and stead, and as to the Trustee, any Vice President or Trust Officer.

"Average Annual Debt Service" means, as of the date of its calculation, the sum of the annual Bond Payments required for all Bond Years in which Bonds will be Outstanding (without regard to any optional redemption thereof) divided by the number of such remaining Bond Years. With respect to Variable Rate Bonds, the Bond Payments shall be calculated with respect to interest as if the interest rate on the Bonds was the lower of (i) the maximum rate which those Bonds may bear pursuant to law or (ii) the rate set forth in the applicable Supplemental Indenture.

"Bond" or "Bonds" means the Series 1994 Bonds and any Additional Bonds authenticated and delivered pursuant to this Indenture where the context so requires.

"Bond Bank" means The Indianapolis Local Public Improvement Bond Bank, a body corporate and politic separate from the City in its corporate capacity existing pursuant to the laws of the State and its successors and assigns.

"Bond Bank Bonds" means The Indianapolis Local Public Improvement Bond Bank Bonds, Series 1994 \_\_ and any future series of Bond Bank Bonds issued pursuant to the Bond Bank Indenture.

"Bond Bank Indenture" means the Trust Indenture dated as of \_\_\_\_ 1, 1994 between the Bond Bank and \_\_\_\_\_, as Trustee as originally executed and as the same may from time to time be supplemented or amended.

"Bond Counsel" means any firm of nationally recognized attorneys experienced in matters relating to the status, for federal income tax purposes, of interest on obligations issued by political subdivisions and acceptable to the Bond Bank and the Trustee.

"Bond Documents" means any or all of the following as the context may require, the Bonds, this Indenture and the Bond Purchase Agreement.

"Bond Ordinance" means City-County Special Ordinance No. \_\_-1994, adopted April 25, 1994, authorizing the issuance of the Series 1994 Bonds or an ordinance of similar import relating to Additional Bonds.

"Bond Payments" means payments of the principal of, premium, if any, and interest on the Bonds pursuant to their terms and the terms of this Indenture.

"Bond Register" shall have the meaning stated in Section 2.18 hereof.

"Bond Year" means a 12-month period commencing on January 1 of each year and ending on December 31 of the subsequent year.

"Business Day" means any day other than a Saturday, Sunday, or legal holiday on which banking institutions in either Indianapolis, Indiana, or New York, New York, are authorized or required by law to close or on which the New York Stock Exchange is authorized or required by law to close.



"Capital Appreciation Bond" shall mean any Bonds issued as to which interest is (1) computed semiannually on each Valuation Date and (ii) payable only at the maturity or prior redemption of such Bonds. For the purposes of (a) receiving payment of the Redemption Price if a Capital Appreciation Bond is redeemed prior to maturity, or (b) receiving payment of a Capital Appreciation Bond if the principal of all Bonds is declared immediately due and payable following an Event of Default as provided in Section 7.01 of this Indenture, or (c) computing the principal amount of Bonds held by the registered owner of a Capital Appreciation Bond in giving to the City or the Trustee any notice, consent, request or demand pursuant to this Indenture for any purpose whatsoever, the principal amount of the Capital Appreciation Bond shall be deemed to be its Accreted Value.

"Capitalized Interest Subaccount" means the subaccount established within the Construction Account pursuant to Article IV.

"City" means the City of Indianapolis, a consolidated city of the first class organized and existing pursuant to the laws of the State, particularly the Act, and its successors and assigns.

"Code" means the Internal Revenue Code of 1986, as amended from time to time, and the regulations from time to time promulgated or proposed thereunder.

"Common Debt Service Subaccount", means the City of Indianapolis Common Debt Service Subaccount authorized by section 4.01 hereof.

"Construction Account" means the Account so named created pursuant to Article IV hereof.

"Costs of Issuance" means any and all costs and expenses relating to the issuance, sale and delivery of any series of Bonds, including, but not limited to, bond insurance premiums, letter of credit fees and the cost of providing other credit enhancements or liquidity features for such Bonds, all fees and expenses of legal counsel, financial feasibility, or other consultants, trustees, underwriters and accountants, and the preparation and printing of the Indenture, the preliminary and final official statement and such Bonds.

"County" means Marion County, Indiana.

"County Treasurer" means the Treasurer of the County.

"Coverage Test" means when the sum of Net Revenues and Utilized TIF Revenues equal or exceed 125% of the greater of (1) 100% of the Bond Payments due within the next 12 months, calculated as of date of the related Officer's Certificate or (2) the Average Annual Debt Service (including, in the case of any proposed issuance of Additional Bonds, the proposed Bond Payments for such Additional Bonds in such calculation); provided that if such calculation is being undertaken in connection with (a) a proposed issuance of Additional Bonds, Net Revenues shall be computed by including the Net Revenues attributable to the related Project as projected by the Authorized Officer executing the related Officer's Certificate; (b) a proposed sale, transfer, abandonment, disposition, or removal from service of a Facility, or portions thereof, pursuant to Section 5.10 herein, Net Revenues shall be computed after eliminating the Net Revenues attributable to such Facility, and any prior disposition otherwise included in Net Revenues; and (c) a proposed pledge of the revenues from an additional Facility (whether or not such is a Project) pursuant to a Supplemental Indenture and Section 5.15 herein, Net Revenues shall be computed by including the Net Revenues attributable to such additional Facility as (i) projected by the Authorized Officer executing the related Officer's Certificate in the case of a Facility for which historical Net Revenues are not available or (ii) compiled by the Authorized Officer executing the related Officer's Certificate in the case of a Facility for which historical Net Revenues are available.

"Current Interest Bonds" means any Serial Bond or Term Bond.

"Department" means the Department of Parks and Recreation of the City and County.

"Economic Development Area" means the Brookville/Senour Economic Development Area established by the Metropolitan Development Commission acting as the Redevelopment Authority of the City on August 19, 1987.

"Event of Default" has the meaning stated in Article VII hereof.

"Facility or Facilities" means, subject to the provisions of Section 5.10 herein, the Initial Project and the City's existing Thatcher Municipal Golf Course, Douglass Municipal Golf Course, Sahm Municipal Golf

May 9, 1994

Course, Sarah Shank Municipal Golf Course, and Pleasant Run Municipal Golf Course, each located in Indianapolis, Indiana; any additional Projects; and any additional municipal golf course whose revenues are pledged pursuant to a Supplemental Indenture and Section 5.15 herein.

"Government Obligations" means (a) direct obligations of the United States of America; (b) obligations guaranteed as to principal and interest by the United States of America or any federal agency whose obligations are backed by the full faith and credit of the United States of America, including but not limited to: Department of Housing and Urban Development, Export-Import Bank, Farmers Home Administration, Federal Financing Bank, Federal Housing Administration, Maritime Administration, Small Business Administration, which obligations include but are not limited to certificates or receipts representing direct ownership of future interest or principal payments on obligations described in clause (a) or in this clause (b) and which are held by a custodian in safekeeping on behalf of the holders of such receipts; (c) securities evidencing ownership interests in open-end management type investment companies or investment trusts registered under the Investment Company Act of 1940, as amended, rated in one of the two highest rating categories by any Rating Agency rating the Bonds, whose investments are limited to the obligations described in clauses (a) and (b) and to repurchase agreements fully collateralized by such obligations; and (d) obligations of any state of the United States or any political subdivision thereof, rated in the highest rating category by any Rating Agency rating the Bonds the full payment of principal of, premium, if any, and interest on which (i) is unconditionally guaranteed or insured by the United States of America, or (ii) is provided for by an irrevocable deposit of the securities described in clause (i) to the extent such investments are permitted by law.

"Holder" or "Owner" when used with respect to any Bonds means the registered owner of Bonds. "Bondholder" means a Holder of a Bond.

"Indenture" means this instrument as originally executed, including the Exhibits hereto, or as the same may from time to time be supplemented, modified, or amended by one or more Supplemental Indentures entered into pursuant to the applicable provisions hereof.

"Initial Project" means the renovation and improvement of the existing golf course and related facilities at the Coffin Municipal Golf Course, located in Indianapolis, Indiana.

"Interest Payment Date" means each January 1 and July 1 beginning January 1, 1995 or the dates so specified in any Supplemental Indenture.

"Interfund Loan" means principal of and interest on the funds borrowed by the City on June 1, 1993, from its Sanitary District, currently outstanding in the amount of \$ \_\_\_\_\_, pursuant to IC 36-9-25-33(c) and IC 36-1-8-4 to refinance the bond anticipation note issued on December 11, 1991 by the park district.

"Investment Agreement" means any agreement providing for the investment of moneys held by the Trustee on behalf of the City under certain Accounts.

"Investment Securities" means, for purposes of funds invested in the Construction Account and the Rebate Account to the extent such investments are permitted by law any of the following: (a) Government Obligations; (b) certificates of deposit fully and promptly secured at all times by Government Obligations; provided, that such certificates are with commercial banks, savings and loan associations, mutual savings banks, or credit unions, including the Trustee, which are eligible depositories for State of Indiana deposits under Indiana Code 5-13; (c) certificates of deposit, savings accounts, deposit accounts or depository receipts of commercial banks, savings and loan associations, mutual savings banks, or credit unions, including the trustee, which are eligible depositories for State of Indiana deposits under Indiana Code 5-13, and which are fully insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration; (d) bankers acceptances of commercial banks, savings and loan associations or mutual savings banks, including the Trustee, which are eligible depositories for State of Indiana deposits under Indiana Code 5-13, and which mature not more than one (1) year after the date of purchase; provided such commercial banks, savings and loan associations, or mutual savings banks (as opposed to their holdings companies) must be rated for unsecured debt at the time of purchase of the investments at least in the two highest rating categories by every Rating Agency which maintains a rating on the Bonds; (e) investment agreements issued by entities rated in the two full highest categories by a nationally recognized rating agency at the time of execution; (f) shares of mutual funds that invest only in Government Obligations that are rated in the highest category by every Rating Agency which maintains a rating on the Bonds; and (g) the Investment Agreement or a replacement investment agreement rated at least a minimum "A" rating by every Rating Agency that maintains a rating on the Bonds.

For purposes of funds invested in the Parks Project Revenue Fund the Investment Securities shall mean to the extent permitted by law, any of the following: (a) Special Government Obligations; (b) certificates of deposit



fully and promptly secured at all times by Special Government Obligations; provided, that such certificates are with commercial banks, savings and loan associations, mutual savings banks, or credit unions, including the Trustee, which are eligible depositories for State of Indiana deposits under Indiana Code 5-13 and which are rated "investment grade" by any Rating Agency that maintains a rating on the Bonds; (c) certificates of deposit, savings accounts, deposit accounts or depository receipts of commercial banks, savings and loan associations, mutual savings banks, or credit unions, including the trustee, which are eligible depositories for State of Indiana deposits under Indiana Code 5-13 and are rated "investment grade" by any Rating Agency that maintains a rating on the Bonds, which are fully insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration; (d) bankers acceptances of commercial banks, savings and loan associations or mutual savings banks, including the Trustee, which are eligible depositories for State of Indiana deposits under Indiana Code 5-13, and which mature not more than one (1) year after the date of purchase; provided such commercial banks, savings and loan associations, or mutual savings banks (as opposed to their holdings companies) must be rated for unsecured debt at the time of purchase of the investments at least in the two highest rating categories by every Rating Agency which maintains a rating on the Bonds; (e) investment agreements issued by entities rated in the two full highest categories by every Rating Agency that maintains a rating on the Bonds; (f) shares of mutual funds that invest only in Government Obligations that are rated in the highest category by every Rating Agency which maintains a rating on the Bonds; and (g) the Investment Agreement or a replacement investment agreement issued by a provider that is rated at least as high as the rating on the Bonds by every rating agency that maintains a rating on the Bonds.

"Maturity" when used with respect to any Bond means the date on which the principal of such Bond becomes due and payable as therein or herein provided, whether at the stated maturity, by declaration of acceleration or call for redemption or otherwise.

"Minimum Balance" means an amount within the Parks Project Revenue Fund equal to 100% of the Bond Payments (excluding the portion thereof anticipated to be paid from amounts on deposit in a Capitalized Interest Subaccount) due within the next 12 months (reduced by TIF Revenues determined by an Authorized Officer to be available to make Bond Payments on the Series 1994 A Bonds during such period), calculated as of the first day of each month.

"Net Revenues" mean the Revenues, after payment or provision for payment of expenses of operation, maintenance and repair of the Facilities, during the most recent 12 month period preceding the date of calculation for which such information is available.

"Officer's Certificate" means a certificate executed by an Authorized Officer.

"Outstanding" means the Accreted Value of all Bonds theretofore authenticated and delivered under this Indenture, except:

- (A) Bonds theretofore delivered to the Trustee for cancellation and cancelled by the Trustee;
- (B) Bonds for the payment or redemption of which money in the necessary amount has been theretofore deposited with the Trustee in trust for the Owners of such Bonds, provided that, if such Bonds are to be redeemed, notice of such redemption has been duly given pursuant to this Indenture, or waived, or provision therefor satisfactory to the Trustee has been made;
- (C) Bonds in exchange for or in lieu of which other Bonds have been authenticated and delivered under this Indenture;
- (D) Bonds alleged to have been mutilated, destroyed, lost, or stolen which have been paid or replaced as provided in Section 2.14; and
- (E) Bonds for the payment of the principal of, premium, if any, and interest on which money or Government Obligations or both are held by the Trustee or an escrow agent with the effect specified in Article X.

"Parks Project Revenue Fund" means the non-reverting operating fund established by City-County Special Ordinance No. \_\_-1994, adopted April 25, 1994, for Department purposes into which all Revenues are to be deposited.

"Project Subaccount" means a subaccount established within the Construction Account for each Project as provided in Article IV.

"Project" or "Projects" means generally the construction, reconstruction, acquisition, repair and improvement of park facilities located within the County, as determined necessary by the Department, including the Initial Project, from proceeds of Bonds.

"Purchase Agreement" means a certain Qualified Entity Purchase Agreement between the City and the Bond Bank dated as of \_\_\_\_ 1, 1994 or an agreement of similar import relating to Additional Bonds.

"Rating Agency" means Fitch Investors Service, Moody's Investors Service, Inc. or Standard & Poor's Corporation. Rating Agency also means any nationally recognized securities rating organization other than Fitch Investors Service, Moody's Investors Service, Inc. or Standard & Poor's Corporation designated by the City by notice to the Trustee.

"Rebate Account" means the Account by that name created by Article IV hereof.

"Rebate Memorandum" means the City of Indianapolis Parks Project Revenue Bonds, Series 1994 Rebate Memorandum dated as of the date of the issuance of such bonds or a certificate of similar import relating to Additional Bonds.

"Record Date" means the fifteenth day of the month prior to any Interest Payment Date.

"Redemption Price" shall mean, with respect to any Bond, the principal amount thereof plus the applicable premium, if any payable upon redemption thereof pursuant to such Bond or this Indenture.

"Registrar and Paying Agent" means the person or entity so named in Section 2.06 hereof.

"Revenues" means all moneys received by the Department from the operation of the Facilities including any related activities.

"Serial Bond" means any Bond on which periodic interest payments are made and which are not subject to mandatory sinking fund redemption prior to their stated maturity date.

"Series" means a series of Bonds authorized by this Indenture or any Supplemental Indenture.

"Series 1994 Bonds" means the City of Indianapolis Parks Project Revenue Bonds, Series 1994 A and Series 1994 B.

"Series 1994 A Bonds" means the City of Indianapolis Parks Project Revenue Bonds, Series 1994 A authorized by Section 2.01 hereof.

"Series 1994 A Term Bonds" means the Series 1994 A Bonds maturing on \_\_\_\_\_.

"Series 1994 B Bonds" means the City of Indianapolis Parks Project Revenue Bonds, Series 1994 B authorized by Section 2.01 hereof.

"Series 1994 B Term Bonds" means the Series 1994 B Bonds maturing on \_\_\_\_\_.

"Series 1994 Term Bonds" means the Series 1994 A Term Bonds and the 1994 B Term Bonds.

"Special Government Obligations" means (a) direct obligations of the United States of America; (b) obligations guaranteed to principal and interest by the United States of America or any federal agency whose obligations are backed by the full faith and credit of the United States of America, including but not limited to: Public Housing Authority, Farm Credit System Financial Assistance Corporation, Tennessee Valley Authority, Inter-American Development Bank, World Bank, Federal Farm Credit Banks Consolidated System-Wide Bonds, Federal Home Loan Bank, Federal Home Loan Mortgage Corporation, Government National Mortgage Association, Student Loan Marketing Association, and Resolution Funding Corporation, which obligations include but are not limited to certificates or receipts representing direct ownership of future interests or interest or principal payments on obligations described in clause (a) or in this clause (b) and which are held by a custodian in safekeeping on behalf of the holders of such receipts; (c) securities evidencing ownership interests in open-end management type investment companies or investment trusts registered under the Investment Company Act of 1940, as amended, rated in the highest rating category by any Rating Agency rating the Bonds, whose investments are limited to the obligations described in clauses (a) and (b) and to repurchase agreements fully collateralized by such obligations; and (d) obligations of any state of the United States or any political subdivision thereof, the full payment of principal of, premium, if any, and interest on which (i) is



unconditionally guaranteed or insured by the United States of America, or (ii) is provided for by an irrevocable deposit of the securities described in clause (i) to the extent such investments are permitted by law and are rated in the highest rating category by any Rating Agency rating the Bonds on the basis of the escrow deposit.

"Supplemental Indenture" means an indenture of the City entered into in accordance with the terms and provisions of Article IX of this Indenture.

"State" means the State of Indiana.

"Term Bond" means any Bond on which periodic current interest payments are made and which are subject to mandatory sinking fund redemption prior to their stated maturity date.

"TIF Revenues" means revenue generated by the incremental increase in property taxes from the Economic Development Area.

"TIF Revenues Debt Service Subaccount", means the City of Indianapolis TIF Revenues Debt Service Subaccount authorized by section 4.01 hereof.

"Trustee" means the person or entity named as the Trustee in Section 6.01 of this instrument until a successor Trustee shall have become such pursuant to the applicable provisions of this Indenture, and, thereafter, Trustee means such successor Trustee.

"Trust Estate" has the meaning stated in the Granting Clauses hereof.

"Utilized TIF Revenues" means TIF Revenues during the most recent 12 month period preceding the date of calculation for which such information is available; provided that, in calculating the Coverage Test, such amount shall not exceed the amount of the Bond Payments related to the Series 1994 A Bonds which are due within the next 12 months.

"Valuation Date" shall mean, with respect to any Capital Appreciation Bonds, the date or dates set forth in this Indenture or the Supplemental Indenture authorizing such Bonds on which specific Accreted Values are assigned to the Capital Appreciation Bonds.

"Variable Rate Bonds" means Bonds, the interest rate on which changes from time to time.

"Whispering Hill Refunding" means, the refunding of the City's Interfund Loan used to refund the prior borrowing of the Department used to construct a nine hole golf course and golf related facilities at the Whispering Hills Municipal Golf Course.

Section 1.02. Interpretation. (A) In this Indenture, unless the context otherwise requires:

(1) the terms "hereby", "hereof", "hereto", "herein", "hereunder" and any similar terms, as used in this Indenture, refer to this Indenture, and the term "heretofore" means before, and the term "hereafter" means after, the date of adoption of this Indenture;

(2) words of the masculine gender mean and include correlative words of the feminine and neuter genders and words importing the singular number mean and include the plural number and vice versa;

(3) words importing persons shall include firms, associations, partnerships (including limited partnerships), trusts, corporations and other legal entities, including public bodies, as well as natural persons;

(4) any headings preceding the texts of the several Articles and Sections of this Indenture, and any table of contents or marginal notes appended to copies hereof, shall be solely for convenience of reference and shall not constitute a part of this Indenture, nor shall they affect its meaning, construction or effect;

(5) this Indenture shall be governed by and construed in accordance with the applicable laws of the State;

(6) references to the payment of the Bonds shall be deemed to include references to the payment of interest accrued thereon until the maturity date or the redemption date;

May 9, 1994

(7) any reference in this Indenture to principal or interest on Bonds which is payable on a certain date or during a certain period is reference to an amount payable on such date (including the applicable premium, if any, with respect to any Bond which has been called for redemption) or during such period and does not include the obligation to pay any principal or interest after such date or period.

(B) Nothing in this Indenture expressed or implied is intended or shall be construed to confer upon, or to give to, any person, other than the City, the Trustee and the Owners of the Bonds, any right, remedy or claim under or by reason of this Indenture or any covenant, condition or stipulation hereof.

(C) If any one or more of the covenants or agreements provided herein on the part of the City or Trustee to be performed should be contrary to law, then such covenant or agreement shall be deemed separable from the remaining covenants and agreements hereof and shall in no way affect the validity of the other provisions of this Indenture or of the Bonds.

Section 1.03. Acts of Owners. (A) Any request, demand, authorization, direction, notice, consent, waiver, or other action provided by this Indenture to be given or taken by Owners may be embodied in and evidenced by one or more instruments of substantially similar tenor signed by such Owners in person or by an agent duly appointed in writing, and, except as herein otherwise expressly provided, such action shall become effective when such instrument or instruments are delivered to the Trustee and, if hereby expressly required, to the City. Such instrument or instruments and the action embodied therein and evidenced thereby are herein sometimes referred to as the Act of an Owner signing such instrument or instruments. Proof of execution of any such instrument or of writing appointing any such agent shall be sufficient for any purpose of this Indenture and conclusive if made in the manner provided in this Section.

(B) The fact and date of the execution by any person of any such instrument or writing shall be provided by the affidavit of a witness of such execution or by the certificate of any notary public or other officer authorized by law to take acknowledgments of deeds, certifying that the individual signing such instrument or writing acknowledged to him the execution thereof. Whenever such execution is by an officer of a corporation or a member of a partnership on behalf of such corporation or partnership, such certificate or affidavit shall also constitute sufficient proof of his authority.

(C) The ownership of Bonds shall be proved by the Bond Register.

(D) Any request, demand, authorization, direction, notice, consent, waiver, or other action by the Owner of any Bond shall bind every future Owner of the same Bond and the Owner of every Bond issued upon the transfer thereof, or in exchange therefor or in lieu thereof, in respect of anything done or suffered to be done by the Trustee or the City in reliance thereon, whether or not notation of such action is made upon such Bond.

Section 1.04. Exhibits. All exhibits to this Indenture, either as originally existing or as the same may from time to time be supplemented, modified or amended, are incorporated herein by this reference. Exhibits attached hereto are:

Exhibit A Form of Series 1994 A Bond  
Exhibit B Form of Series 1994 B Bond  
Exhibit C Schedule of Capitalized Interest Payments

(End of Article I)

## ARTICLE II TERMS AND PROVISIONS OF THE BONDS

Section 2.01. Principal Amount, Designation and Series. The Series 1994 Bonds shall be designated as the City of Indianapolis Parks Project Revenue Bonds, Series 1994 A and Series 1994 B, issued in the aggregate principal amount of \$ \_\_\_\_\_, and \$ \_\_\_\_\_, respectively, fully registered in accordance with Section 2.18 hereof and issued in the form(s) attached hereto as Exhibit A and B, respectively.

Section 2.02. Purpose. (A) The Series 1994 A Bonds are being issued to provide funds for deposit in the Accounts established pursuant to this Indenture in order to make funds available to pay the costs of the Whispering Hills Refunding and related expenditures incident thereto.

(B) The Series 1994 B Bonds are being issued to provide funds for deposit in the Accounts established pursuant to this Indenture in order to make funds available to pay the costs of the construction of the Initial Project and related expenditures incident thereto.



Section 2.03. Terms of Bonds. (A) Each series of Bonds shall be designated "Parks Project Revenue Bonds, Series \_\_\_\_," with such designation indicating the year and the sequence within each year of the issuance of such series of Bonds. The Bonds shall be issued in denominations of Five Thousand Dollars (\$5,000) or any integral multiple thereof and shall be numbered consecutively upwards in order of their issuance in accordance with the bond register maintained by the Trustee as registrar.

(B) Interest on the Bonds shall be payable on January 1 and July 1 of each year commencing on the date set forth in the Indenture or Supplemental Indenture authorizing such series of Bonds. Interest shall be computed on the basis of a 360-day year comprised of twelve (12) thirty (30)-day months.

(C) The principal of any Bond shall be payable on January 1, to the registered owner thereof or his or her assigns upon surrender thereof at the principal corporate office of the paying agent or the Trustee. The interest on the Bonds shall be paid by check or draft mailed by the paying agent or the Trustee on each Interest Payment Date to the persons in whose names the Bonds are registered on the Record Date, irrespective of any transfer or exchange of the Bonds subsequent to such Record Date and prior to such Interest Payment Date, unless the Issuer shall default in payment of interest due on such Interest Payment Date. In the event of any such default, such defaulted interest shall be payable on a payment date established by the Trustee to the persons in whose names the Bonds are registered at the close of business on a special record date for the payment of such defaulted interest established by notice mailed by the Trustee as a registrar to the registered owners of the Bonds not less than fifteen (15) days preceding such special record date. Payment as aforesaid shall be made in such coin or currency of the United States of America as, at the respective times of payment, is legal tender for the payment of public and private debts. The Issuer may provide for the payment of public and private debts. The Issuer may provide for the payment of principal of and interest on the Bonds held by any Bondholder in amounts aggregating One Million Dollars (\$1,000,000) or more by wire transfer or by such other method as may be acceptable to the Trustee and such Bondholder.

(D) The specific terms of the Bonds of each series subsequent to the Series 1994 Bonds shall be as provided in the Supplemental Indenture authorizing the issuance of such series. Each Supplemental Indenture shall specify the following:

- (1) The date of issue;
- (2) Maturities, mandatory and optional Maturities, term or terms of Bonds and the determination thereof;
- (3) Interest rates and provisions, if any, for determining the interest rate to be borne on Variable Rate Bonds (and other matters related thereto specified herein) and provisions for non-interest bearing Bonds, as necessary;
- (4) The first Interest Payment Date for such series of Bonds;
- (5) The authorized principal amount of such series of Bonds;
- (6) Provisions, if any, for redemption and the terms and conditions thereof;
- (7) The purpose or purposes for which the Bonds of such series are being issued;
- (8) Provisions for the sale or other disposition of the Bonds and the use and application of the proceeds of such sale or other disposition;
- (9) The respective form of each type of Bond issued thereunder.

(E) The Series 1994 A Bonds maturing on or after \_\_\_\_\_, shall be subject to redemption by the City at its option on or after \_\_\_\_\_, in whole or in part at any time, upon notice given within the time, in the manner and with the effect provided by the provisions of Article III of this Indenture, in the principal amount and maturity or maturities selected by the City in its sole discretion (less than all of said Bonds of a single maturity to be selected by lot in such manner as may be designated by the Trustee) at the following redemption prices (expressed as percentages of the principal amount to be redeemed) plus accrued interest to the redemption date:

May 9, 1994

<u>Period During Which Redeemed</u> <u>(Both Dates Inclusive)</u>	<u>Redemption</u> <u>Price</u>
____, ____ through ____, ____	102%
____, ____ through ____, ____	101%
____, ____ and thereafter	100%

(F) The Series 1994 B Bonds maturing on or after \_\_\_\_\_, shall be subject to redemption by the City at its option on or after \_\_\_\_\_, in whole or in part at any time, upon notice given within the time, in the manner and with the effect provided by the provisions of Article III of this Indenture, in the principal amount and maturity or maturities selected by the City in its sole discretion (less than all of said Bonds of a single maturity to be selected by lot in such manner as may be designated by the Trustee) at the following redemption prices (expressed as percentages of the principal amount to be redeemed) plus accrued interest to the redemption date:

<u>Period During Which Redeemed</u> <u>(Both Dates Inclusive)</u>	<u>Redemption</u> <u>Price</u>
____, ____ through ____, ____	102%
____, ____ through ____, ____	101%
____, ____ and thereafter	100%

(G) For purposes of this Indenture, each \_\_\_\_\_ from \_\_\_\_\_, to and including \_\_\_\_\_, and each \_\_\_\_\_ from \_\_\_\_\_, to and including \_\_\_\_\_, is considered a "Sinking Fund Installment Date" for the Series 1994 A Term Bonds.

The City hereby establishes for the retirement of the Series 1994 A Term Bonds, maturing on \_\_\_\_\_, on each Sinking Fund Installment Date, Sinking Fund Installments in the following amounts:

of the Year

Sinking Fund Installment

(H) For purposes of this Indenture, each \_\_\_\_\_ from \_\_\_\_\_, to and including \_\_\_\_\_, and each \_\_\_\_\_ from \_\_\_\_\_, to and including \_\_\_\_\_, is considered a "Sinking Fund Installment Date" for the Series 1994 B Term Bonds.

The City hereby establishes for the retirement of the Series 1994 B Term Bonds, maturing on \_\_\_\_\_, on each Sinking Fund Installment Date, Sinking Fund Installments in the following amounts:

of the Year

Sinking Fund Installment

Not less than forty (40) days prior to each Sinking Fund Installment Date on which a Sinking Fund Installment is due, the Trustee shall select by lot, in such manner as may be designated by the Trustee, the Series 1994 Term Bonds to be redeemed in the amount of such Sinking Fund Installment and shall promptly give notice of redemption of such Series 1994 Term Bonds within the time, in the manner and with the effect provided by the provisions of Article III of this Indenture, which notice shall state that the Series 1994 Term Bonds to be redeemed are being redeemed through operation of a mandatory redemption sinking fund. The Trustee shall apply moneys in the Debt Service Account to the redemption of the selected Series 1994 Term Bonds on the Sinking Fund Installment Date, at a Redemption Price equal to one hundred percent (100%) of such principal amount, plus accrued interest to the redemption date.

Section 2.04. Issue Date. The issue date of the Series 1994 Bonds is \_\_\_\_\_, 1994.

Section 2.05. Maturities and Interest Rates. (A) The Series 1994 A Bonds shall be repaid annually as to principal and semi-annually as to interest commencing on January 1, 1995 as set forth in the following table:

<u>Year</u>	<u>Principal Due</u> <u>January 1</u>	<u>Interest</u> <u>Rate</u>
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(B) The Series 1994 B Bonds shall be repaid annually as to principal and semi-annually as to interest commencing on January 1, 1995 as set forth in the following table:

Year	Principal Due January 1	Interest Rate

Section 2.06. Registrar and Paying Agent. The \_\_\_\_\_ is hereby appointed the Registrar and Paying Agent for the Bonds.

Section 2.07. Sale of Series 1994 Bonds. The Series 1994 Bonds shall be sold in accordance with the Purchase Agreement, at such price, in such manner and on the terms and conditions and upon the basis of the representations set forth therein.

Section 2.08. Delivery. After execution as herein provided, the Series 1994 Bonds shall be authenticated by the Trustee and shall be delivered to the purchaser thereof in accordance with the Purchase Agreement.

Section 2.09. Source of Payment of Bonds. The Bonds and all payments by the City hereunder are limited obligations of the City and are payable solely out of the Trust Estate as expressly provided in this Indenture.

Section 2.10. Execution. The Bonds shall be executed in the name of the City by the manual or facsimile signature of its Mayor, shall have impressed or imprinted thereon the official seal of the City or a reproduced facsimile thereof and shall be attested by the manual or facsimile signature of the City Clerk. In case any officer of the City who shall have signed or sealed any Bond shall cease to be such officer before such Bond shall have actually been authenticated by the Trustee or delivered and issued, such Bond may be authenticated, delivered and issued with the same effect as though the person who had signed and sealed such Bond had not ceased to be an officer of the City.

Section 2.11. Authentication. Only Bonds authenticated by the endorsement thereon of a certificate of authentication manually executed by an Authorized Officer of the Registrar and Paying Agent, shall be valid for any purpose, or be secured by this Indenture, or be entitled to any benefit hereunder; and every certificate of the Registrar and Paying Agent upon any Bond purporting to be secured hereby shall be conclusive evidence that such Bond so authenticated has been duly authenticated and delivered hereunder.

Section 2.12. Delivery of the Series 1994 Bonds. The Series 1994 Bonds shall be delivered upon the written request of the City and upon receipt by the Trustee of the purchase price thereof as set out in the Purchase Agreement and receipt by the Trustee of the following items:

(A) The Bond Ordinance authorizing the execution and delivery of the Bond Documents, the authentication and delivery of the Series 1994 Bonds and the lending of the proceeds thereof to the City pursuant to the Bond Ordinance;

(B) An opinion of Bond Counsel stating that the Series 1994 Bonds are the legal, valid, and binding limited obligations of the City entitled to the benefits of and secured by the lien of this Indenture equally and ratably, except as expressly provided in or permitted by this Indenture;

(C) An Officer's Certificate of the City dated the date of the authentication and delivery of the Series 1994 Bonds and stating that, if the Series 1994 Bonds were then Outstanding, no Event of Default would exist and that the conditions precedent provided for in this Indenture relating to the authentication and delivery of the Series 1994 Bonds have been complied with; and

(D) An executed copy of this Indenture.

Provided that the Trustee shall have no duty to inquire into the accuracy, completeness, or validity of any of the foregoing, the Trustee shall disburse the amounts received as provided in Article IV upon delivery of the Series 1994 Bonds.

Section 2.13. Additional Bonds. (A) One or more Series of Bonds in addition to the Series 1994 Bonds (herein referred to as "Additional Bonds") may be authenticated and delivered from time to time for the purpose

or purposes of financing additional Projects or for the purpose of refunding all or a portion of the Outstanding Bonds. Additional Bonds may only be issued as provided in this section.

(B) Prior to the authentication and delivery of Additional Bonds, the Trustee shall receive:

- (1) The written request of the City;
- (2) The Bond Ordinance authorizing the execution and delivery of the Additional Bonds;
- (3) An Officer's Certificate of the City dated the date of the authentication and delivery of the any such Additional Bonds stating that, no Event of Default exists and that the conditions precedent as provided for in this Indenture, relating to the authentication and delivery of such Additional Bonds, have been complied with;
- (4) A Supplemental Indenture executed by the City and the Trustee authorizing the issuance of such Additional Bonds, specifying the terms thereof (including the form of the Additional Bonds), and providing for the disposition of the proceeds of the sale of the Additional Bonds;
- (5) The purchase price for the Additional Bonds as specified in the Purchase Agreement;
- (6) An Officer's Certificate of the City certifying that the requirements set forth in Section 2.13(C) or Section 2.13(D) hereof have been met; and
- (7) An opinion of Bond Counsel to the effect that the issuance and sale of Additional Bonds are the legal, valid, and binding limited obligations of the City entitled to the benefits of and secured by the lien of this Indenture equally and ratably, except as expressly provided in or permitted by this Indenture or any supplemental Indenture and will not result in loss of the exclusion of the interest on the Series 1994 Bonds and any Outstanding Additional Bonds from gross income of the Holders for federal income tax purposes.

Provided that the Trustee shall have no duty to inquire into the accuracy, completeness, or validity of any of the foregoing, the Trustee shall disburse the amounts received as provided in Article IV upon delivery of any Additional Bonds.

(C) Except as provided in Section 2.13(D), no Additional Bonds may be issued hereunder unless the conditions set forth below are satisfied:

- (1) There is no default existing in Bond Payments;
- (2) All deposits of Revenues required to be deposited to the Parks Project Revenue Fund have been made;
- (3) On the date the contract is made to sell such Additional Bonds, the Coverage Test is met.

(D) Notwithstanding any other provision of this Section, the City may issue Additional Bonds: (i) to pay, purchase, redeem or refund Bonds if there will be in the judgment of the Authorizing Officer, no money available to make the Bond Payments as such amounts come due; or (ii) to pay, purchase, redeem or refund any Outstanding Bonds if the total amount of the required deposits to the Parks Project Revenue Fund to make Bond Payments immediately after the issuance of such Additional Bonds will not be in excess of such required deposits to make Bond Payments immediately prior to the issuance of such Additional Bonds in each Bond Year in which any Bonds Outstanding immediately prior to the issuance are Outstanding.

(E) Any Additional Bonds issued in accordance with the terms and conditions of this section shall be secured by this Indenture and shall be equally and ratably payable from the Trust Estate, except as expressly provided in or permitted by this Indenture, but such Additional Bonds shall bear such date or dates, such interest rate or rates and have such maturities, redemption dates, denominations and premiums and be in such form as may be agreed upon between the City and the Bond Bank.

Section 2.14. Mutilated, Lost, Stolen or Destroyed Bonds. In case any temporary or definitive Bond issued hereunder shall become mutilated, lost, stolen or destroyed, the City, in its discretion, may execute, and the Registrar and Paying Agent shall thereupon authenticate and deliver, a new Bond of like tenor, amount, maturity and date, and bearing the same or a different number in exchange and substitution for and upon the cancellation of the mutilated Bond, or in lieu of and substitution for such lost, stolen or destroyed Bond. If any such Bond shall have matured or shall be about to mature, the City may pay such Bond without surrender thereof. In every



case, the applicant shall furnish evidence satisfactory to the Trustee and the Registrar and Paying Agent of the destruction, theft or loss of such Bond and indemnity satisfactory to the Trustee and the Registrar and Paying Agent. The Registrar and Paying Agent may charge for the issuance of such new Bond an amount sufficient to reimburse the Trustee for the expense incurred by it in the issuance thereof.

Section 2.15. Equality of Lien. The pledges and covenants herein set forth to be performed by the City and the Trustee shall be for the equal benefit, protection and security of the Owners of all the Bonds, all of which, without regard to the times of their issuance, their series, or their maturity, shall be of equal rank without preference, priority or distinction of any of the Bonds over any other, except as expressly provided in or permitted by this Indenture. Only the Series 1994 A Bonds, and no other Bonds, shall be payable from or secured by the TIF Revenues and amounts from time to time in the TIF Revenues Debt Service Subaccount.

Section 2.16. Indenture to Constitute Contract. In consideration of the purchase and acceptance of the Bonds by those who shall hold the same from time to time, the provisions of this Indenture shall be a part of the contract of the City with the Owners of Bonds and shall be deemed to be and shall constitute a contract among the City, the Trustee and the Owners from time to time of the Bonds.

Section 2.17. Exchangeability of Bonds. Bonds, upon surrender thereof at the principal or corporate trust office of the Registrar and Paying Agent with a written instrument of transfer satisfactory to the Trustee, duly executed by the Owner thereof or his duly authorized attorney, may at the option of the Owner thereof, and upon payment by such Owner of any charges which the Trustee, the Registrar and Paying Agent or the City may make as provided in Sections 2.14 and 2.20, be exchanged for an equal Accreted Value of Bonds of the same Series and maturity of any of the authorized denominations of such Series.

Section 2.18. Negotiability, Transfer and Registration. All Bonds shall be negotiable subject to the provisions for registration, transfer and exchange contained in this Indenture and in the Bonds. So long as any of the Bonds shall remain Outstanding, the City shall cause books for the registration, transfer and exchange of Bonds (the "Bond Register") to be maintained by the Registrar and Paying Agent at its principal or corporate trust office. The City shall register or cause to be registered in such books, and permit to be transferred thereon, under such reasonable regulations as it, the Trustee or the Registrar and Paying Agent may prescribe, all Bonds, and so long as any of the Bonds remain Outstanding, the City shall make all necessary provisions to permit the exchange of Bonds at the principal or corporate trust office of the Registrar and Paying Agent.

Section 2.19. Transfer of Bonds. (A) Each Bond shall be transferable only upon the Bond Register by the Owner thereof in person or by his attorney duly authorized in writing, upon surrender thereof together with a written instrument of transfer duly executed by the Owner or his duly authorized attorney satisfactory to the Registrar and Paying Agent who shall act as transfer agent. Upon the transfer of any Bond, the City shall issue in the name of the transferee a new Bond or Bonds of the same Accreted Value, Series and maturity as the surrendered Bond.

(B) The City, the Trustee and the Registrar and Paying Agent may deem and treat the person in whose name any Bond shall be registered on the Bond Register as the absolute Owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal or Redemption Price, if any, of and interest on such Bond, for notices required hereunder and for all other purposes and all such payments so made to any such registered Owner shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the City, the Trustee, nor the Registrar and Paying Agent shall be affected by any notice to the contrary.

Section 2.20. Regulations with Respect to Exchanges and Transfers. In all cases in which the privilege of exchanging or transferring Bonds is exercised, the City shall execute and the Registrar and Paying Agent shall authenticate and deliver Bonds in accordance with the provisions of this Indenture. For every such exchange or transfer of Bonds, whether temporary or definitive, the City, the Registrar and Paying Agent or the Trustee may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer; otherwise the transfer shall be without charge. The Registrar and Paying Agent shall not be obligated to make any such exchange or transfer of Bonds (i) on or after any Record Date and prior to the next Interest Payment Date, (ii) during the forty-five days preceding the date of any proposed redemption of Bonds, or (iii) during the period of thirty days prior to mailing of a notice of redemption of any Bonds.

Section 2.21. Cancellation and Destruction of Bonds. All Bonds paid or redeemed, either at or before maturity, shall be delivered to the Registrar and Paying Agent when such payment or redemption is made, and



May 9, 1994

such Bonds, together with all Bonds purchased by the Trustee, shall thereupon be promptly cancelled. Bonds so cancelled may be destroyed by the Registrar and Paying Agent, who shall prepare a certificate of destruction executed by an Authorized Officer describing the Bonds so destroyed which shall be filed with the City.

Section 2.22. Form of Series 1994 Bonds. (A) The Series 1994 A Bonds, the Trustee's Certificate of Authentication thereon and the form of assignment shall be substantially in the form attached hereto as Exhibit A. The omissions shall be appropriately completed prior to delivery of the Series 1994 A Bonds.

(B) The Series 1994 B Bonds, the Trustee's Certificate of Authentication thereon and the form of assignment shall be substantially in the form attached hereto as Exhibit B. The omissions shall be appropriately completed prior to delivery of the Series 1994 B Bonds.

(End of Article II)

### ARTICLE III REDEMPTION OF BONDS

Section 3.01. Redemption of Bonds. Bonds of a particular series may be redeemed either in whole or in part prior to their respective maturity dates, at such times and under such circumstances as may be set forth in this Indenture or the Supplemental Indenture authorizing the issuance of such series of Bonds.

Section 3.02. Notice of Redemption. (A) When the Trustee shall receive notice from the City of its election to redeem all or any portion of a series of Bonds or when the City is required to redeem certain Bonds pursuant to the provisions hereof, the Trustee shall give notice of the redemption by first-class mail, unless waived by any Owner of the Bonds. Such notice shall specify the maturities of the series of Bonds to be redeemed, the redemption date and the place or places where the Redemption Price will be payable. Such notice shall further state that on such date there shall become due and payable, the Redemption Price thereof together with interest accrued to the redemption date, and that from and after such date interest with respect to such maturities shall cease to accrue and be payable. The Trustee shall mail a copy of such notice, postage prepaid, by certified mail, not less than 30 days nor more than 60 days prior to the redemption date to the Owner of the Bonds, at the last address appearing upon the Bond Register.

(B) Failure to give any notice described above for redemption by mailing or any defect therein shall not affect the validity of any proceedings for the redemption of the Bonds, provided that the Owner of the Bonds becomes aware of the City's intent to redeem such Bonds in time to comply with the redemption provisions set forth in Article III of the Bond Bank Indenture. Bonds redeemed will cease to bear interest for the maturities redeemed on the specified redemption date, and shall no longer be protected by this Indenture and shall not be deemed to be Outstanding under the provisions of this Indenture, provided that funds for such redemption are on deposit at the place of payment at that time.

Section 3.03. Selection of Bonds to be Redeemed. If less than all of the Bonds are to be redeemed, the Bonds shall be redeemed only in whole multiples of the denominations authorized for such Bonds. For purposes of redemption, each authorized denomination of principal shall be considered as a Bond. If less than all of the Bonds shall be called for redemption, the principal amount, series, and maturity of the particular Bonds to be redeemed shall be selected by the Issuer and the Trustee shall select the particular Bonds to be redeemed by lot within a series and maturity in such manner as the Trustee may determine.

Section 3.04 Redemption Payments. Prior to the date fixed for redemption, the City shall deposit funds with the Trustee in an amount which, together with other available moneys held by the Trustee, will be sufficient to pay the Redemption Price of the Bonds or portions thereof called for redemption, together with accrued interest thereon to the redemption date. The Trustee is hereby authorized and directed to apply such funds to the payment of such Bonds. If proper notice of redemption has been given as provided in Section 3.02 hereof and sufficient funds for redemption shall be on deposit with the Trustee, interest on the Bonds or portions thereof thus called shall no longer accrue after the date fixed for redemption. No payment shall be made by the Trustee upon any Bond or portion thereof called for redemption until such Bond or portion thereof shall have been delivered for payment or cancellation or the Trustee shall have received the items required by Section 2.14 hereof with respect to any mutilated, lost, stolen or destroyed Bond. Upon surrender of any Bond in a denomination greater than Five Thousand Dollars (\$5,000) which has been called for redemption in part only, the Issuer shall execute and the Trustee shall authenticate and deliver to the owner thereof, without charge, a new registered Bond or Bonds of like series and maturity in any authorized denominations in an aggregate principal amount equal to the unredeemed portion of the bond surrendered. Any notice of redemption of Bonds shall not be effective if sufficient funds shall not have been deposited on the date fixed for redemption pursuant to the Indenture, and such event shall not constitute an Event of Default under the Indenture and such Bonds



or portions thereof shall continue to bear interest until paid at the same rate as if such Bonds had not been called for redemption.

Section 3.05. Cancellation. All Bonds which have been redeemed shall be cancelled and destroyed by the Trustee and shall not be reissued and a counterpart of the certificate of destruction evidencing such destruction shall be furnished by the Trustee to the City.

Section 3.06. Release Concerning Redeemed Bonds. If the amount necessary to redeem any Bonds called for redemption shall have been deposited with the Trustee for that purpose on or before the date specified for such redemption, and if a notice pursuant to Section 3.02 hereof shall have been duly given and all proper charges and expenses of the Trustee in connection with such redemption shall have been paid or provided for, the City shall be released from all liability on such Bonds, and such Bonds shall no longer be deemed to be Outstanding hereunder. Thereafter, such Bonds shall not be secured by the lien of this Indenture, and the holders thereof shall look only to the Trustee for payment thereof, and not otherwise.

(End of Article III)

#### **ARTICLE IV ACCOUNTS, INVESTMENTS AND RELATED MATTERS**

Section 4.01. Establishment of Accounts. The City hereby establishes and creates the following special trust accounts:

(A) City of Indianapolis Construction Account ("Construction Account").

(1) City of Indianapolis Parks Project Subaccount ("Project Subaccount");

(2) City of Indianapolis Parks Project Capitalized Interest Subaccount ("Capitalized Interest Subaccount").

(B) City of Indianapolis Parks Project Debt Service Account ("Debt Service Account").

(1) City of Indianapolis Parks Project Series 1994 A Subaccount ("TIF Revenues Debt Service Subaccount");

(2) City of Indianapolis Parks Project Series 1994 B Sub-account ("Common Debt Service Subaccount").

(C) City of Indianapolis Parks Project Rebate Account ("Rebate Account").

Section 4.02. Identification of Accounts. All such Accounts shall be held and maintained by the Trustee and shall be identified by the City and the Trustee in such manner as to distinguish such Accounts from the accounts established by the City for any other of its obligations. All moneys or securities held by the Trustee pursuant to this Indenture shall be held in trust and applied only in accordance with the provisions of this Indenture. The City or the Trustee may establish such subaccounts of the Accounts as they may in their discretion determine to be appropriate to comply with the provisions of this Indenture, but such designation shall not affect the characterization of moneys held in any such subaccounts as being held in the Account related thereto for purposes of this Indenture.

Section 4.03. Construction Account. (A) The Issuer shall establish and hold within the Construction Account a separate account for each Project designated with the name of the particular Project as the "Series \_\_\_\_\_ Project Subaccount," into which moneys for such Project shall be deposited from proceeds of Bonds deposited to the Construction Account. Moneys deposited to the credit of the Project Subaccount shall be used for repayment of interim indebtedness incurred with respect to one or more components of a Project or for the cost of acquiring, constructing, improving, and equipping a Project.

(B) The Issuer shall establish and hold within the Construction Account a separate account for each series of Bonds designated by the series of such Bonds as "Series \_\_\_\_\_ Capitalized Interest Subaccount" into which certain moneys shall be deposited from proceeds of Bonds deposited to the Construction Account. Moneys deposited to the credit of such series of the Capitalized Interest Subaccount shall be used for payment of interest on Bonds during construction and a reasonable period thereafter, and shall be transferred to the Debt Service Account in the amounts and on the dates set forth herein or in the Supplemental Indenture authorizing

May 9, 1994

the issuance of such series of Bonds. If amounts held in the Capitalized Interest Subaccount on the last date for transfer to the Debt Service Account as set forth in the Supplemental Indenture authorizing the issuance of such series of Bonds exceed the amount required to be transferred on such date, such excess amount in the Capitalized Interest Subaccount shall also be transferred to the Debt Service Account on such date.

(C) There shall be deposited in the Series 1994 B Capitalized Interest Subaccount \$\_\_\_\_\_ from the proceeds of the sale of the Series 1994 B Bonds representing capitalized interest and the Trustee shall transfer such moneys to the Debt Service Account to provide for the payment of interest on Bonds as and when scheduled in Exhibit C.

(D) There shall be deposited in the Series 1994 B Project Subaccount: (i) \$\_\_\_\_\_ from the proceeds of the sale of the Series 1994 B Bonds; and (ii) any other amounts required to be deposited therein pursuant to this Indenture. Such monies shall be applied to the costs of the Initial Project as and to the extent permitted in subsection (E) below.

(E) The Trustee shall apply moneys in the Project Subaccount to the costs of the Project including, but not limited to, the following items:

- (1) the cost of the Project;
- (2) the cost of acquisition of all land, rights-of-way, property, rights, easements and any other legal or equitable interests acquired by the City for the Projects including the cost of any relocations incident to the acquisition;
- (3) the cost of demolishing or removing any buildings, structures or improvements on property acquired by the City, including the cost of:
  - (a) acquiring any property to which the buildings, structures or improvements may be moved;  
or
  - (b) acquiring any property which may be exchanged for property acquired by the City;
- (4) engineering and legal expenses, costs of plans, specifications, surveys, estimates and any necessary feasibility studies;
- (5) other expenses necessary or incident to determining the feasibility or practicability of the Project;
- (6) administrative expenses of the City relating to the Project;
- (7) reimbursement of the City for:
  - (a) any cost, obligation or expense incurred by the City relating to the Project;
  - (b) advances relating to the Project from the City for surveys, borings, preparation of plans and specifications, or engineering services;
  - (c) any other cost of the Project incurred by the City or paid from advances;

provided that such reimbursements shall meet the requirements set forth in United States Treasury Regulation 1.150-2 as amended or replaced as of the date of the issuance of the related series of Bonds;

(8) other expenses the City finds necessary or incident to the Project, the Cost of Issuance for the Project and the placing of the Project in operation;

(9) transfer of funds at any time to the Rebate Account in order that the amount on deposit therein shall be equal to the Rebate Amount (as defined in the Rebate Memorandum);

(F) Proceeds from the Bonds remaining in the Construction Account or any Project Subaccount on the earlier of the completion of the Project, as evidenced by a Certificate of Completion executed by the City, or the date which is three (3) years after the date of this Indenture shall be (i) placed in an escrow account; (ii) invested in a manner which will not cause the Bonds to become "arbitrage bonds" under Section 148 of the Code; and (iii) used to redeem Bonds on the first date such Bonds are redeemable hereunder. The requirements of this subsection shall be waived by the Trustee if the City files a written opinion of Bond Counsel to the effect



that such a waiver will not cause the interest on the Bonds to be included in the Holders gross income for federal income tax purposes.

All payments from the Project Subaccount shall be made by the Trustee upon presentation of a certificate from an architect or engineer stating that the work has been completed or the materials have been furnished, approved in writing by an Authorized Officer of the City or in the case of any items not subject to certification by the architect or engineer, then upon the presentation of an Officer's Certificate of the City, stating the character of the expenditure, the amount thereof, and to whom due, together with the statement of the creditor as to the amount owing.

(G) Upon certification by the City that sufficient monies are available in the Project Subaccount to fully complete the related Project, additional monies, if any, may be used for any other Project.

Section 4.04. Debt Service Account. (A) The TIF Revenues Debt Service Subaccount shall be funded by deposit therein by the City from TIF Revenues on the 5th Business Day preceding each January 1 and July 1 an amount sufficient to provide a balance within the TIF Revenues Debt Service Subaccount equal to the next subsequent Bond Payment for the Series 1994 A Bonds. Only the Series 1994 A Bonds, and no other Bonds, shall be payable from amounts from time to time in the TIF Revenues Debt Service Subaccount.

(B) The Common Debt Service Subaccount shall be funded by deposit therein by the City of the following:

(1) From Series 1994 Bond proceeds, \$ \_\_\_\_\_ representing accrued interest;

(2) From the Parks Project Revenue Fund, there shall be transferred to the Debt Service Account on the 5th Business Day preceding each January 1 and July 1 an amount sufficient to provide a balance within the Debt Service Account equal to the next subsequent Bond Payment on the Series 1994 A Bonds, to the extent not full provided for through the transfer made pursuant to the preceding Subsection (A), and all other Bonds;

(3) From revenues or any other source or other funds the City determines necessary and proper for deposit therein or as may be required by this Indenture. The City has no obligation to make deposits other than from the Trust Estate; and

(4) Earnings on moneys in accounts not required to be retained in any Account.

(B) Funds in the Debt Service Account shall be disbursed by the Trustee pursuant to the provisions of Section 2.08 hereof in the following manner:

(1) From the TIF Revenues Debt Service Subaccount an amount to make Bond Payments on the Series 1994 A Bonds, as the same come due, or in advance if directed by the City, as may be permitted herein;

(2) From the Common Debt Service Subaccount an amount to make Bond Payments on the Series 1994 A Bonds, to the extent not full paid pursuant to the preceding clause (1), and all other Bonds, as the same come due, or in advance if directed by the City, as may be permitted herein;

(3) On any redemption date the amounts required for payment of the Redemption Price and interest on the Bonds, to redeem Bonds in the manner provided in Article III hereof;

(4) At any time to the Rebate Account for the purpose of complying with the tax covenants set out in 4.05 hereof; and

(5) At any time to the Trustee, Registrar and Paying Agent or the Bond Bank to pay the fees and expenses of each entity, as set forth in Section 6.04 hereof and in the Bond Bank Indenture.

(D) The City may utilize monies in the Common Debt Service Subaccount for any Project to the extent the balance of such account (together with the balance in the TIF Revenues Debt Service Subaccount available to be applied in the succeeding twelve months to Bond Payments for the Series 1994 A Bonds) exceeds the succeeding twelve months Bond Payments for the Bonds.

Any funds remaining after all the Bonds have been redeemed or defeased, pursuant to the terms hereof, shall be deposited in the Rebate Account if the funds therein are not sufficient for its purposes. Any funds not so

deposited shall be paid to the City for deposit into the Parks Project Revenue Fund free and clear of the lien of this Indenture.

Section 4.05. Rebate Account. (A) There shall be deposited in the Rebate Account no less frequently than required by the Code all sums required by the Rebate Memorandum. Upon the City's written direction, an amount shall be deposited to the Rebate Account by the Trustee from deposits by the City or from amounts held in the Debt Service Account, if and to the extent required, in order that the amount on deposit therein shall be equal to the Rebate Amount (as defined in the Rebate Memorandum). Computations of the Rebate Amount shall be furnished by or on behalf of the City in accordance with the Rebate Memorandum. The Trustee shall invest all amounts held in the Rebate Account in Investment Securities, subject to the restrictions set forth in the Rebate Memorandum. Money shall not be transferred from the Rebate Account except as provided herein after payment of any outstanding Trustee fees.

(B) Money at any time deposited in the Rebate Account shall be held by the Trustee in trust, to the extent required to satisfy the Rebate Amount for payment to the federal government of the United States of America, and neither the City, the City nor the Owner of any Bonds shall have any rights in or claim to such money. All moneys deposited into or on deposit in the Rebate Account shall be governed by this Section and by the Rebate Memorandum (which is incorporated herein by reference). The Trustee shall be deemed conclusively to have complied with such provisions if it follows the directions of the City including supplying all necessary information which is reasonably available to the Trustee in the manner provided in the Rebate Memorandum. The Trustee shall not be required to take any actions thereunder in the absence of written directions from the City and shall have no liability or responsibility to enforce compliance by the City with the terms of the Rebate Memorandum. Upon receipt of the City's written directions, the Trustee shall remit part or all of the balances in the Rebate Account to the United States, as so directed. In addition, if the City so directs, the Trustee will deposit moneys into or transfer moneys out of the Rebate Account from or into such Accounts as the City may direct in writing. Any funds remaining in the Rebate Account after redemption and payment of all of the Bonds and payment and satisfaction of any Rebate Amount, or provision made therefor satisfactory to the Trustee, shall be remitted to the City for deposit into the Parks Project Revenue Fund.

(C) The Trustee shall have no obligation to rebate any amounts required to be rebated pursuant to this Section other than from moneys held in Accounts created under this Indenture or from other moneys provided to it by the City.

(D) Notwithstanding any other provisions of this Indenture, the obligation to remit the Rebate Amounts to the United States and to comply with all other requirements of this Section and the Rebate Memorandum shall survive the defeasance or payment in full of the Bonds.

Section 4.06. Application of Bond Proceeds, Accrued Interest and Premium. The proceeds of the sale of any Bonds shall, as soon as practicable upon the delivery of such Bonds by the Trustee, be deposited as provided in this Article IV or in accordance with any Supplemental Indenture authorizing their issuance.

Section 4.07. Investment of Certain Funds. (A) Subject to the right of the City to direct the investment or deposit of funds hereunder, moneys in any Account shall be continuously invested and reinvested or deposited or redeposited by the Trustee in Investment Securities. The City may direct the Trustee to, or in the absence of direction, the Trustee shall, invest and reinvest the moneys in any Account in Investment Securities so that the maturity date or redemption date at the option of the Trustee shall coincide as nearly as practicable with the times at which moneys are to be expended. The Investment Securities purchased shall be held by the Trustee, or for its account as Trustee and shall be deemed at all times to be part of such Account, and the Trustee shall provide the City with monthly reports detailing all such investments. The Trustee shall sell or present for redemption any Investment Securities purchased by it as an investment whenever it shall be necessary in order to provide moneys to meet any payment from such Account. The Trustee may make such investments through its own bond department.

(B) Investment Securities purchased as an investment of moneys in any Account held by the Trustee under the provisions of this Indenture shall be deemed at all times to be a part of such Account. The income or interest earned and gains realized in excess of losses suffered by an Account due to the investment thereof shall remain in such Account.

(C) The Trustee shall sell or present for redemption or exchange, any Investment Securities purchased by it pursuant to this Indenture whenever it shall be necessary in order to provide moneys to meet any payment or transfer from the Account for which such investment was made.



(D) In the event the Trustee shall disburse moneys in any Account to acquire accrued interest on any Investment Securities due on the date of such acquisition, such interest when received shall be credited to such Account.

Section 4.08. Valuation and Sale of Investments. (A) In computing the amount in any Account, Investment Securities therein shall be valued at the lower of cost or market.

(B) Except as otherwise provided herein, the Trustee shall sell or present for redemption any Investment Securities whenever it shall be required in writing by an Authorized Officer of the City to do so or whenever it shall be necessary in order to provide moneys to meet any payment or transfer from any Account held by it. An Investment Security may be credited on a pro-rata basis to more than one Account and need not be sold in order to provide for the transfer of amounts from one Account to another.

(End of Article IV)

## ARTICLE V COVENANTS REGARDING BONDS, PROJECTS AND SOURCES OF REVENUES

Section 5.01. Authority For Bonds. The City hereby covenants and agrees that it is duly authorized under the laws of the State of Indiana and under all other applicable provisions of law to create and issue the Bonds herein provided for, to execute and deliver this Indenture, and to pledge and apply the Revenues and monies in the Parks Project Revenue Fund as herein provided; that all corporate and other action on its part for the execution of this Indenture has been duly and effectively taken; that the Bonds when issued and in the hands of the holders thereof will be valid and enforceable obligations of the City according to the import thereof; that this Indenture is and always will be a valid indenture to secure the payment of the Bonds, and that the City has complete and lawful authority and privilege to erect, construct, equip, furnish, operate, control, and manage the Facilities as herein provided.

Section 5.02. Payment of Principal, Premium and Interest. The City hereby covenants and agrees that it will duly and punctually pay or cause to be paid the principal of, redemption premium, if any, and the interest on the Bonds secured or to be secured hereby, at the dates and places, and in the manner provided therein, according to the terms thereof. The foregoing covenant shall include the obligation to use the Revenues and any other legally available funds deposited by the City in the Parks Project Revenue Fund to make such payments.

Section 5.03. Payment of Trustee's and the Bondholders' Costs and Expenses. The City hereby covenants and agrees that it will pay any and all of the costs, charges, and expenses (including reasonably attorney fees) reasonably incurred or paid at any time by the Trustee or any successor Trustee or by the holder of any of the Bonds because of the failure on the part of the City to perform, comply with, and abide by each and every of the stipulations, agreements, conditions, and covenants of the Bonds and this Indenture, or either of them.

Section 5.04. Parks Project Revenue Fund. (A) Upon receipt by the Department, all Revenues shall be deposited into the Parks Project Revenue Fund. The City shall invest the Parks Project Revenue Fund solely in Investment Securities.

(B) Except as permitted under Section 5.04(C) or to make a transfer to the Debt Service Account, (1) no monies or investments in the Revenue Fund shall be transferred from the Parks Project Revenue Fund and (2) the Parks Project Revenue Fund shall not be pledged, encumbered or otherwise used in a manner which causes the monies or Investment Securities therein to be used to pay or secure any obligations of the City except for the Bonds.

(C) When the balance of moneys held from time to time within the Parks Project Revenue Fund exceeds the Minimum Balance, upon the approval and appropriation of the Board, such moneys exceeding the Minimum Balance may (i) be used to provide for the payment of capital or operating expenditures for golf-related purposes, or (ii) be transferred to the golf general fund of the Department, or some combination thereof.

Section 5.05. Right to the Use and Occupancy of the Facilities and Not to Encumber Same. The City hereby covenants and agrees that it has a valid and existing right to the use and occupancy of the Facilities and the right to construct, equip, furnish, operate, and manage the Projects; that it will not encumber such property or the income therefrom and that it will not, while any Bonds are Outstanding hereunder encumber the title to or pledge or agree to pay to others the income from the Facilities except to provide for normal and reasonable expenses of operation and maintenance in the ordinary course of such activities; that it will, within three (3)



months after the same shall accrue, pay and discharge or cause to be paid and discharged, all lawful claims and demands of mechanics, laborers, and others which if unpaid might by law become further liens upon the Facilities.

Section 5.06. Construction of Projects. The City hereby covenants and agrees that following the issuance of each series of Bonds it will cause the Projects for which such Bonds are issued to be completed with all reasonable dispatch.

Section 5.07. Maintenance, Repairs, Application of Revenues, Operation of Facilities. The City hereby covenants and agrees that subject to the right of transfer, abandonment, disposition, or removal, as permitted and provided by Section 5.10 hereof, it will, at all times from revenues made available for such purpose, maintain, preserve, and keep, or cause to be maintained, preserved and kept all of the Facilities and betterments thereto and every part and parcel thereof in good repair, working order, and operating condition and will continuously operate the Facilities on a revenue producing basis. Notwithstanding any provision of this Indenture to the contrary, the City shall have, and the City hereby reserves, the right, power, and authority, exercisable by the City in its sole and uncontrolled discretion without any limitation or restriction whatsoever by virtue of this Indenture (a) to acquire property for and to erect, construct, equip, furnish, operate, control, manage, and use and apply the income of, facilities which are not included in the Facilities (not existing or hereafter acquired) so long as Bonds have not been issued, authenticated, and delivered under the terms of this Indenture for such facilities; (b) to issue and sell bonds under the provisions of the Act, or otherwise, for the purpose of raising funds to acquire property for and to erect, construct, equip, furnish, operate, control, and manage such facilities, which bonds shall not be secured by this Indenture; and (c) to raise, acquire, or provide funds in any manner other than by the issuance and sale of bonds under this or any other indenture for the purpose of acquiring property for or to erect, construct, equip, furnish, operate, control, and manage such additional facilities which are not included in the Facilities.

Section 5.08. Taxes. The City hereby covenants and agrees that it will pay and discharge all taxes, assessments, and governmental charges which shall be lawfully imposed upon the Facilities; provided, however, that the City shall not be required to pay any such tax, assessment, charge, or claim so long as the City in good faith and by appropriate legal proceedings shall contest the validity thereof or its enforceability as a lien; and provided, further, that any such delay occasioned thereby shall not subject the Facilities or any part thereof to forfeiture or sale.

Section 5.09. Rates and Charges. The City hereby covenants, and agrees that it will establish and collect, or cause to be established and collected, rates and charges for the use and occupancy of the Facilities so as to generate in each Bond Year Net Revenues equal to no less than the sum of:

- (a) an amount equal to 1.25 times the Minimum Balance; and
- (b) any other amounts reasonably required or anticipated to be paid from the Parks Projects Revenue Fund with respect to such Bond Year in accordance with the Indenture, including estimated amounts to be spent on each Facility for major repairs and improvements.

Section 5.10. Sale, Transfer, Abandonment or Other Disposition of Facilities. (A) The City covenants and agrees not to sell, transfer, abandon, or otherwise dispose of or remove from service any Facility, or any portion thereof, except as provided in this Section 5.10.

(B) The City may, during any Bond Year, sell, transfer, abandon, or otherwise dispose of or remove from service any Facility, or any portion thereof, if it delivers to the Trustee an Officer's Certificate to the effect that the Coverage Test is met.

(C) The City may sell, transfer, abandon, or otherwise dispose of or remove from service any Facility, or a portion thereof, if it delivers to the Trustee an Officer's Certificate to the effect that (i) an additional facility (a "Replacement Facility") will replace those being sold, transferred, abandoned, or otherwise disposed of or removed from service; (ii) the Revenues from such Replacement Facility are pledged pursuant to a Supplemental Indenture and Section 5.15 herein; (iii) the City adopts an Ordinance requiring the deposit of the revenues from such Replacement Facility into the Parks Project Revenue Fund; and (iv) either (a) the Net Revenues from the Replacement Properties as projected by the Authorized Officer executing the Officer's Certificate in the case of a Facility for which historical Net Revenues are not available is expected to be greater than or equal to the Net Revenues from the Facility being replaced or (b) the Net Revenues from the Replacement Properties as compiled by the Authorized Officer executing the Officer's Certificate in the case of a Facility for which historical Net Revenues are available, is greater than or equal to the Net Revenues from the Facility being replaced.



Section 5.11. Inspection of Facilities by Trustee or Bondholders. The City hereby covenants and agrees that it will at all reasonable times, as long as any of the Bonds are Outstanding, permit the Trustee or any holder or holders of twenty-five percent (25%) or more in aggregate principal amount of Bonds then Outstanding to inspect the facilities comprising the Facilities or any portion thereof.

Section 5.12. Record Keeping. The City hereby covenants and agrees that it will, so long as any of the Bonds issued hereunder remain Outstanding and unpaid, keep or cause to be kept proper and separate books of accounts and records in which full, true, and correct entries will be made of all dealings and transactions relating to the properties, business, and financial affairs of the City as related to the Facilities.

Section 5.13. Inspection of Records by Trustee. The City hereby covenants and agrees that the books, documents, and vouchers relating to the Facilities will at all reasonable times be opened to inspection by authorized agents of the Trustee.

Section 5.14. Tax Exempt Status of Bonds.

(A) The City hereby covenants and agrees that it will not permit the Projects to be used in such manner as would result in the loss of the exclusion of interest on any Bonds the interest which is intended to be excludable from gross income for federal income tax purposes under Section 103 of the Code (the "Tax Exempt Bonds") and the City will not act in any other manner which would adversely affect the exclusion from gross income for federal income tax purposes of interest on such Tax Exempt Bonds.

(B) The City and the Trustee each covenant and agree not to make any investment or do any other act or thing during the period that any Tax Exempt Bonds are Outstanding under this Indenture which would cause any of the Tax Exempt Bonds to become or be classified arbitrage bonds within the meaning of Section 148 of the Code. It is further understood and agreed that the Trustee shall not be required at any time to make any such investment or to do any such act.

(C) The City reserves the right to issue Bonds, the interest on which is not intended to be excludable from gross income for federal income tax purposes under Section 103 of the Code, and in such event and with respect to such Bonds, paragraphs (a) and (b) of this Section 5.14 shall not apply.

(D) It shall not be an event of default under this Indenture if the interest on the Tax Exempt Bonds loses its exclusion from gross income for federal income tax purposes pursuant to any provision of the Code which is not currently in effect on the date of issuance of such Tax Exempt Bonds.

Section 5.15. Additional Security. At any time by a Supplemental Indenture adopted under Article IX hereof, the City may pledge, assign, or grant a security interest in or a lien on any additional funds or source of regular income of the City to the Trustee for the security of the Bonds free and clear of any equal or prior security interest or lien; provided if such source of income is to be included in the computation of the Coverage Test, the definition of Facilities contained herein shall be amended to include such facility and the ordinance establishing the Parks Project Revenue Fund shall be amended to direct the deposit of, and shall pledge, the revenues of such facility. Any such Supplemental Indenture shall be accompanied by an opinion of nationally recognized bond counsel to the effect that a pledge of such additional security is valid, binding, and effective and that the pledge of such additional security will not adversely affect the excludability of interest on the Tax Exempt Bonds from gross income for federal income tax purposes. Upon the execution and delivery of such Supplemental Indenture, the amount of the additional income as to which the Supplemental Indenture supplies shall be added to the amount of Revenues for all purposes hereunder.

(End of Article V)

**ARTICLE VI  
MATTERS CONCERNING THE TRUSTEE,  
REGISTRAR AND PAYING AGENT**

Section 6.01. Appointment and Acceptance of Duties of Trustee. \_\_\_\_\_ is hereby appointed as Trustee. The Trustee shall signify its acceptance of the duties and obligations of the Trustee by executing this Indenture.

Section 6.02. Responsibility of the Trustee and Registrar and Paying Agent. The recitals of fact herein and in the Bonds contained shall be taken as the statements of the City and that neither Trustee nor the Registrar and Paying Agent assumes any responsibility for the correctness of the same. The Trustee makes no representations



as to the validity or sufficiency of this Indenture or of any Bonds issued hereunder or in respect of the security afforded by this Indenture, and the Trustee shall not incur any responsibility in respect thereof. The Trustee, shall, however, be responsible for their representations contained in their respective certificates on the Bonds. The Trustee shall not be under any responsibility or duty with respect to the issuance of the Bonds or the application of the proceeds thereof or the application of any moneys paid to the City. The Trustee shall not be under any responsibility or duty with respect to the application of any moneys paid to any other Trustee. The Trustee and the Registrar and Paying Agent shall not be liable in connection with the performance of its or their duties hereunder except for its or their own negligence or default.

Section 6.03. Evidence on Which Trustee and Registrar and Paying Agent May Act. Neither the Trustee, nor the Registrar and Paying Agent shall incur any liability in acting upon any notice, resolution, ordinance, request, consent, order, certificate, report, opinion, bond or other paper or document believed by such party to be genuine, and to have been signed or presented by the proper party or parties. The Trustee and the Registrar and Paying Agent may consult with counsel, who may be counsel to the City, and the opinion of such counsel shall be full and complete authorization and protection in respect of any action taken or suffered by such party hereunder in good faith. Neither the Trustee nor the Registrar and Paying Agent shall be liable to the City, the Owners of any of the Bonds or any other person for any act or omission done or omitted to be done by such party in reliance upon any instruction, direction or certification received by such party pursuant to this Indenture or for any act or omission done or omitted in good faith and without misconduct. Except as otherwise expressly provided herein, any request, order, notice or other direction required or permitted to be furnished pursuant to any provision hereof by the City to the Trustee or the Registrar and Paying Agent shall be sufficiently executed if executed in the name of the City by an Authorized officer.

Section 6.04. Compensation. The City shall pay but solely from the sources provided herein to the Trustee, the Registrar and Paying Agent, the Bond Bank and the trustee and registrar and paying agent under the Bond Bank Indenture from time to time reasonable compensation for all services rendered under this Indenture and the Bond Bank Indenture, and also all reasonable expenses, charges, counsel fees (whether or not litigation ensued and, if so, fees on trial and any appeal therefrom) and other disbursements, including those of their attorneys, agents and employees, incurred in and about the performance of their powers and duties under this Indenture and the Bond Bank Indenture and the entities referred to above shall have a lien therefor on any and all funds at any time held by it under this Indenture. The Trustee and the Registrar and Paying Agent shall be entitled to reasonable additional compensation for all additional or extraordinary services rendered and expenses (including counsel fees) incurred in connection with an Event of Default.

Section 6.05. Permitted Acts and Functions. The Trustee and the Registrar and Paying Agent may become the Owner of any Bonds, with the same rights it would have if it were not Trustee. The Trustee may act as a depository for, and permit any of its officers or directors to act as a member of, or in any other capacity with respect to, any committee formed to protect the rights of Owners of the Bonds or to effect or aid in any reorganization growing out of the enforcement of the Bonds or this Indenture, whether or not any such committee shall represent the Owners of a majority in principal amount of the Bonds then Outstanding. The Trustee may be an underwriter in connection with the sale of the Bonds or of any other securities offered or issued by the City. The Trustee may delegate its duties hereunder to the Registrar and Paying Agent.

Section 6.06. Resignation of Trustee and/or Registrar and Paying Agent. The Trustee and the Registrar and Paying Agent may at any time resign and be discharged of the duties and obligations created by this Indenture by giving not less than sixty days' written notice to the City and mailing notice thereof specifying the date when such resignation shall take effect in accordance with the requirements of Section 12.13, and such resignation shall take effect upon the day specified in such notice unless previously a successor shall have been appointed, as provided in Section 6.09, in which event such resignation shall take effect immediately upon the appointment of such successor.

Section 6.07. Removal of Trustee and/or Registrar and Paying Agent. The Trustee and/or the Registrar and Paying Agent shall be removed by the City if so requested by an instrument or concurrent instruments in writing, filed with the Trustee and/or the Registrar and Paying Agent and the City and signed by the Owners of a majority in principal amount of the Bonds then Outstanding or their attorney-in-fact duly authorized, excluding any Bonds held by or for the account of the City. The City may remove the Trustee and/or the Registrar and Paying Agent at any time, except during the existence of an Event of Default, for such cause as shall be determined in the sole discretion of the City by filing with the Trustee an instrument signed by an Authorized Officer of the City.

Section 6.08. Appointment of Successor Trustee or Registrar and Paying Agent. (A) In case at any time the Trustee or Registrar and Paying Agent shall resign or shall be removed or shall become incapable of acting, or shall be adjudged bankrupt or insolvent, or if a receiver, liquidator or conservator of the Trustee or Registrar



and Paying Agent, or of its property, shall be appointed, or if any public officer shall take charge or control of the Trustee or Registrar and Paying Agent, or of its property or affairs, the City covenants and agrees that it will thereupon appoint a successor Trustee or Registrar and Paying Agent. The City shall mail notice of any such appointment made by it in accordance with the requirements of Section 12.13, such mailing to be made within twenty days after such appointment.

(B) If in a proper case no appointment of a successor Trustee or Registrar and Paying Agent shall be made pursuant to the foregoing provisions of this Section within forty-five (45) days after the Trustee or Registrar and Paying Agent shall have given to the City written notice, as provided in Section 12.13, or after a vacancy in the office of the Trustee or Registrar and Paying Agent shall have occurred by reason of its inability to act, the Owner of any Bond may apply to any court of competent jurisdiction to appoint a successor Trustee or Registrar and Paying Agent. Said court may thereupon, after such notice, if any, as such court may deem proper, appoint a successor Trustee or Registrar and Paying Agent.

(C) Any Trustee or Registrar and Paying Agent appointed under the provisions of this Section in succession to the Trustee shall be a trust company or bank having the powers of a trust company within the State, having retained earnings and shareholder's equity at least equal to that of the previous Trustee or Registrar and Paying Agent if there is such a trust company or bank willing and able to accept the office on reasonable and customary terms and authorized by law to perform all the duties imposed upon it by this Indenture, otherwise, any trust company or bank having powers within or outside the State acceptable to the City.

Section 6.09. Transfer of Rights and Property to Successor Trustee. Any successor Trustee appointed under this Indenture shall execute, acknowledge and deliver to its predecessor Trustee, and also to the City, an instrument accepting such appointment, and thereupon such successor Trustee, without any further act, deed or conveyance, shall become fully vested with all moneys, estates, properties, rights, powers, duties and obligations of such predecessor Trustee, with like effect as if originally named as Trustee, but the Trustee ceasing to act shall nevertheless, on the request of the City, or of its successor Trustee, execute, acknowledge and deliver such instruments of conveyance and further assurance and do such other things as may reasonably be required for more fully and certainly vesting and confirming in such successor Trustee all the right, title and interest of the predecessor Trustee in and to any property held by it under this Indenture, and shall pay over, assign and deliver to the successor Trustee any money or other property subject to the trusts and conditions herein set forth. Should any deed, conveyance or instrument in writing from the City be required by such successor Trustee for more fully and certainly vesting in and confirming to such successor Trustee any such estates, rights, powers and duties, any and all such deeds, conveyances and instruments in writing shall, on request, and so far as may be authorized by law, be executed, acknowledged and delivered by the City. Upon the effectiveness of the resignation or removal of the Trustee, such Trustee's authority to act pursuant to this Indenture shall terminate and such Trustee shall have no further responsibility or liability whatsoever for performance under this Indenture as Trustee.

Section 6.10. Merger or Consolidation. Any company into which the Trustee and/or the Registrar and Paying Agent may be merged or converted or with which it may be consolidated or any company resulting from any merger, conversion or consolidation to which it shall be a party or any company to which the Trustee and/or the Registrar and Paying Agent may sell or transfer all or substantially all its corporate trust business, provided such company shall be a trust company or bank which is qualified to be a successor to the Trustee and/or the Registrar and Paying Agent and shall be authorized by law to perform all the duties imposed upon it by this Indenture, shall be the successor to the Trustee and/or the Registrar and Paying Agent without the execution or filing of any paper or the performance of any further act, anything herein to the contrary notwithstanding.

Section 6.11. Adoption of Authentication. If any of the Bonds contemplated to be issued under this Indenture shall have been authenticated but not delivered, any successor Registrar and Paying Agent may adopt the certificate of authentication of any predecessor Registrar and Paying Agent so authenticating such Bonds and deliver such Bonds. If said Bonds shall not have been authenticated, any successor Registrar and Paying Agent may authenticate such Bonds in the name of the predecessor Registrar and Paying Agent or in the name of the successor Registrar and Paying Agent, and in all such cases such certificate shall have the full force for which it is intended and the Bonds so authenticated shall be deemed Bonds issued pursuant to this Indenture.

Section 6.12. Evidence of Signatures of Owners and Ownership of Bonds. (A) Any request, consent or other instrument which this Indenture may require or permit to be signed and executed by the Owners may be in one or more instruments of similar tenor, and shall be signed or executed by such Owners in person or by their attorneys appointed in writing. Proof of (i) the execution of any such instrument, or of an instrument appointing any such attorney, or (ii) the holding by any person of the Bonds shall be sufficient for any purpose of this Indenture (except as otherwise herein expressly provided) if made in the following manner, but the Trustee may

nevertheless in its sole discretion require further or other proof in cases where it deems the same desirable of the fact and date of the execution by any Owner of the Bonds or his attorney of such instrument may be proved by the Certificate, which need not be acknowledged or verified, of an officer of a bank or trust company, financial institution or member of the National Association of Securities Dealers, Inc. satisfactory to the Trustee or of any notary public or other officer authorized to take acknowledgments of deeds to be recorded in the state in which he purports to act, that the person signing such request or other instrument acknowledged to him the execution thereof, or by an affidavit of a witness of such execution, duly sworn to before such notary public or other officer. The authority of the person or persons executing any such instrument on behalf of a corporate Owner of the Bonds may be established without further proof if such instrument is signed by a person purporting to be the president or vice president of such corporation with a corporate seal affixed and attested by a person purporting to be its secretary or an assistant secretary.

(B) The ownership of Bonds and the amount, numbers, and other identification, and date of holding the same shall be proved by the Bond Register.

(C) Any request, consent or vote of the Owner of any Bond shall bind all future Owners of such Bond in respect of anything done or suffered to be done by the City or the Trustee in accordance therewith.

Section 6.13. Preservation and Inspection of Documents. All documents received by the Trustee under the provisions of this Indenture (or microfilm, microcard or similar photographic reproduction thereof) shall be retained in its possession until such time as the Trustee in consultation with the City determines that the retention thereof is no longer necessary, and shall be subject at all reasonable times to the inspection of the City and any Owner of the Bonds and their agents and their representatives, any of whom may request copies thereof, at the expense of the requesting party.

(End of Article VI)

## ARTICLE VII DEFAULT AND REMEDIES

Section 7.01. Events of Default. The happening of one or more of the following events shall constitute an "Event of Default":

(A) A default in the due and punctual payment of the principal of, premium, if any, or interest on any Bond when and as the same shall become due and payable;

(B) A default in the performance or observance of any other of the covenants and agreements of the City contained in this Indenture or in the Bonds, and the continuation of such default shall for a period of sixty (60) days after written notice thereof, specifying such default and requiring the same to be remedied, shall have been given to the City by the Trustee, or to the City and the Trustee by the Owners of not less than 51% in Outstanding Bonds;

Section 7.02. Acceleration. In each and every case of an Event of Default, and during the continuance of such Event of Default, the Trustee may by notice in writing to the City, and shall upon the written request of the Owners of not less than 25% in principal amount of the Outstanding Bonds, declare the principal of all the Outstanding Bonds, and the interest accrued thereon, to be due and payable immediately, and upon any such declaration the same shall become and shall be immediately due and payable, anything in this Indenture or in the Bonds contained to the contrary notwithstanding.

This provision, however, is subject to the condition that if at any time after the principal of the Bonds shall have been so declared due and payable, and before any judgment or decree for the payment of the money due shall have been obtained or entered as hereinafter provided, the City shall pay to or shall deposit with the Trustee a sum sufficient to pay all principal of the Bonds matured prior to such declaration and all matured installments of interest, if any, upon all the Bonds, with interest at the rate borne by the Bonds on such overdue principal and premium, if any, and, to the extent legally enforceable, on such overdue installments of interest, and the reasonable expenses (including its reasonable attorney's fees) of the Trustee, and any and all other defaults known to the Trustee (other than in the payment of principal and of interest on the Bonds due and payable solely by reason of such declaration) shall have been made good or cured or adequate provision shall have been made therefor, then and in every such case, the Trustee by written notice to the City or the Owners of at least 51% in Outstanding Bonds, by written notice to the City and to the Trustee, may, on behalf of the Owners of all Bonds, rescind and annul such declaration and its consequences but no such rescission and annulment shall extend to or shall affect any subsequent default, nor shall it impair or exhaust any right or power consequent thereon.



Section 7.03. Remedies. In case of an Event of Default, the Trustee shall proceed to protect and enforce its rights and the rights of the Owners of the Bonds under this Indenture by a suit, action, or proceeding in equity or at law or otherwise.

Section 7.04. Covenant to Pay Trustee Amounts Due on Bonds and Right of Trustee to Judgment. The City covenants that, if:

(A) default is made in the payment of any interest on any Bond when such interest is due; or

(B) default is made in the payment of the principal of, premium, if any, on any Bond at its maturity or upon redemption, then upon demand by the Trustee, the City will pay to the Trustee for the benefit of the Owners of such Bonds, solely from the Trust Estate, the whole amount then due and payable on such Bonds for principal, premium, if any, and interest, with interest at the respective rate or rates prescribed therefor in the Bonds on overdue principal, premium, if any, and interest, and, in addition thereto, and such further amount as shall be sufficient to pay the costs and expenses of collection, including the reasonable compensation, expenses, disbursements and advances of the Trustee and its agents and counsel. If the City fails to pay such amounts forthwith upon such demand, the Trustee, in its own name and as trustee of an express trust, shall be entitled to sue for and recover judgment for the amount so due and unpaid provided that such a judgment shall be paid solely and only from the Trust Estate.

Section 7.05. Application of Collection Proceeds. The proceeds of any collection efforts shall be deposited in the Debt Service Account, and all moneys in the Debt Service Account shall be applied by the Trustee, pro rata pursuant to Series, as follows:

(A) To the payment of costs and expenses of suit, if any, and of any sale, and the reasonable compensation of the Trustee, its agents and counsel, and of all proper expenses, liabilities and advances incurred or made hereunder by the Trustee or by any Owner or Owners of the Bonds, and of all taxes, assessments or liens superior to the lien of these presents, except any taxes, assessments or other superior liens subject to which said sale may have been made; then

(B) To fund the Rebate Account if necessary; then

(C) In the following order to the payment of: (i) interest on overdue principal of the Bonds; (ii) interest on the Bonds; (iii) principal of the Bonds, and then

(D) The surplus, if any, shall be paid to the City, its successors and assigns, or to whomsoever may be lawfully entitled to receive the same.

Section 7.06. Waiver Not to Impair Subsequent Rights. No delay or omission of the Trustee or of any Owner of any of the Bonds to exercise any right or power arising from any default on the part of the City hereunder shall exhaust or impair any such right or power or prevent its exercise during the continuance of such default. No waiver by the Trustee or Owners of any such default, whether such waiver be full or partial, shall extend to or be taken to affect any subsequent default, or impair the rights resulting therefrom, except as may be otherwise provided herein. No remedy hereunder is intended to be exclusive of any other remedy but each and every remedy shall be cumulative and in addition to any and every other remedy given hereunder or otherwise existing.

Section 7.07. Trustee May File Proofs of Claim. In case of the pendency of any receivership, insolvency, liquidation, bankruptcy, reorganization, arrangement, adjustment, composition, or other judicial proceeding relative to the City or the property of the City, the Trustee (irrespective of whether the principal of the Bonds shall then be due and payable, as therein expressed or by declaration or otherwise, and irrespective of whether the Trustee shall have made any demand on the City or the City for the payment of overdue principal, premium, or interest) shall be entitled and empowered, by intervention in such proceeding or otherwise:

(A) To file and prove a claim for the whole amount of principal, premium, if any, and interest owing and unpaid in respect of the Outstanding Bonds and to file such other papers or documents as may be necessary or advisable in order to have the claims of the Trustee (including any claim for the reasonable compensation, expenses, disbursements, and advances of the Trustee, its agents and counsel) and of the Owners allowed in such judicial proceeding, and

(B) To collect and receive any money or other property payable or deliverable on any such claims and to distribute the same.

May 9, 1994

Any custodian, receiver, assignee, trustee, liquidator, sequestrator, or other similar official in any such judicial proceeding is hereby authorized by each Owner of Bonds to make such payments to the Trustee, and in the event that the Trustee shall consent to the making of such payments directly to the Owners, to pay to the Trustee any amount due to it for the reasonable compensation, expenses, disbursements, and advances of the Trustee, its agents and counsel, and any other amounts due the Trustee under Section 6.05.

Nothing herein contained shall be deemed to authorize the Trustee to authorize or consent to or accept or adopt on behalf of any Owner of Bonds any plan of reorganization, arrangement, adjustment, or composition affecting the Bonds or the rights of any Owner thereof, or to authorize the Trustee to vote in respect of the claim of any Owner of Bonds in any such proceeding.

Section 7.08. Trustee May Enforce Claims Without Possession of Bonds. All rights of action and claims under this Indenture or the Bonds may be prosecuted and enforced by the Trustee without the possession of any of the Bonds or the production thereof in any proceeding relating thereto and any such proceeding instituted by the Trustee shall be brought in its own name as trustee of an express trust. Any recovery of judgment shall, after provision for the payment of the reasonable compensation, expenses, disbursements, and advances of the Trustee, its agents and counsel, be for the ratable benefit of the Owners of the Bonds in respect of which such judgment has been recovered.

Section 7.09. Limitation on Suits. No Owner of any Bond shall have any right to institute any proceeding, judicial or otherwise, under or with respect to this Indenture, or for the appointment of a receiver or trustee or for any other remedy hereunder, unless:

(A) A default has occurred, and

(B) Such default shall have become an Event of Default and the Owners of not less than 25% of Outstanding Bonds shall have made written request to the Trustee to institute proceedings in respect of such Event of Default in its own name as Trustee hereunder, and

(C) Such Owner or Owners shall have offered to the Trustee reasonable indemnity against the costs, expenses, and liabilities to be incurred in compliance with such request, and

(D) The Trustee for 60 days after the receipt of such notice, request, and offer of indemnity has failed to institute any such proceeding, and

(E) No direction inconsistent with such written request has been given to the Trustee during such 60-day period by the Owners of 51% of Outstanding Bonds.

No one or more Owners of Bonds shall have any right in any manner whatever by virtue of any provision of this Indenture to affect, disturb, or prejudice the rights of any other Owners of Bonds, or to obtain or to seek to obtain priority or preference over any other Owners or to enforce any right under this Indenture, except in the manner herein provided and for the equal and ratable benefit of all Outstanding Bonds.

Section 7.10. Unconditional Right of Owners to Receive Principal, Premium and Interest. Notwithstanding any other provision of this Indenture, the Owner of any Bond shall have the right which is absolute and unconditional to receive payment of the principal of, premium, if any, and interest on such Bond on the dates expressed in such Bond (or, in the case of redemption, on the redemption date), but solely from the Trust Estate and the Owner of any Bond shall have the right to institute suit for the enforcement of any such payment from the Trust Estate, and such rights shall not be impaired without the consent of such Owner.

Section 7.11. Restoration of Positions. If the Trustee, the City or any Owner of a Bond has instituted any proceeding to enforce any right or remedy under this Indenture by appointment of receiver or otherwise and such proceeding has been discontinued or abandoned for any reason or has been determined adversely to the Trustee, the City or to such Owner, then and in every such case the City, the Trustee and the Owners shall, subject to any determination in such proceeding, be restored to their former positions hereunder, and thereafter all rights and remedies of the Trustee, the City and the Owners shall continue as though no such proceeding had been instituted.

Section 7.12. Rights and Remedies Cumulative. No right or remedy herein conferred upon or reserved to the Trustee or the Owners of the Bonds is intended to be exclusive of any other right or remedy, and every right and remedy shall, to the extent permitted by law, be cumulative and in addition to every other right and remedy given hereunder or now or hereafter existing at law or in equity or otherwise. The assertion or employment of



any right or remedy hereunder, or otherwise, shall not prevent the concurrent assertion or employment of any other appropriate right or remedy.

Section 7.13. Delay or Omission Not Waiver. No delay or omission of the Trustee or of any Owner of any Bond to exercise any right or remedy accruing upon an Event of Default shall impair any such right or remedy or constitute a waiver of any such Event of Default or an acquiescence therein. Every right and remedy given by this Article or by law to the Trustee or the Owners of the Bonds may be exercised from time to time, and as often as may be deemed expedient, by the Trustee or such Owners, as the case may be.

Section 7.14. Control by Owners of Bonds. The Owners of a 51% of Outstanding Bonds shall have the right, during the continuance of an Event of Default:

(A) To require the Trustee to proceed to enforce this Indenture, either by judicial proceedings for the enforcement of the payment of the Bonds or otherwise; and

(B) To direct the time, method, and place of conducting any proceeding for any remedy available to the Trustee, or exercising any trust or power conferred upon the Trustee hereunder, provided that:

- (1) such direction shall not be in conflict with any rule of law or this Indenture, and
- (2) the Trustee may take any other action deemed proper by the Trustee which is not inconsistent with such direction, and
- (3) the Trustee shall not determine that the action so directed would be unjustly prejudicial to the Owners not taking part in such direction, provided that the Trustee shall not be liable for any adverse consequences of any such determination made in good faith or for not making such determination where such is done in good faith.

Section 7.15. Suits to Protect the Trust Estate. The Trustee shall have power to institute and to maintain such proceedings as it may deem expedient to prevent any impairment of the Trust Estate by any acts which may be unlawful or in violation of this Indenture and to protect its interests and the interests of the Owners of the Bonds in the Trust Estate, including power to institute and maintain proceedings to restrain the enforcement of or compliance with any governmental enactment, rule, or order that may be unconstitutional or otherwise invalid, if the enforcement of or compliance with such enactment, rule, or order would impair the security hereunder or be prejudicial to the interests of the Owners of the Bonds or the Trustee.

Section 7.16. Remedies Subject to Applicable Law. All rights, remedies, and powers provided by this Article may be exercised only to the extent that the exercise thereof does not violate any applicable provision of law in the premises, and all the provisions of this Article are intended to be subject to all applicable mandatory provisions of law which may be controlling in the premises and to be limited to the extent necessary so that they will not render this Indenture invalid, unenforceable, or not entitled to be recorded, registered, or filed under the provisions of any applicable law.

(End of Article VII)

## ARTICLE VIII EVIDENCE OF RIGHTS OF OWNERS

Section 8.01. Instruments of Consent. Any request, consent or other instrument required by this Indenture to be signed and executed by Owners may be in any number of concurrent writings of substantially similar tenor and may be signed or executed by such Owners in person or by an agent duly appointed in writing. Proof of the execution of any such request, consent or other instrument or of a writing appointing any such agent shall be sufficient for any purpose of this Indenture and shall be conclusive in favor of the Trustee and of the City if made in the manner provided in this Article.

Section 8.02. Proof of Execution. The fact and date of the execution by any person of any such request, consent or other instrument or writing may be proved by the affidavit of a witness of such execution or by the certificate of any notary public or other officer of any jurisdiction, authorized by the laws thereof to take acknowledgments of deeds, certifying that the person signing such request, consent or other instrument acknowledged to him the execution thereof. Where such execution shall be by an officer of a corporation or association or a member of a partnership, such affidavit or certificate shall also constitute sufficient proof of his authority.

Section 8.03. Proof of Ownership of Bonds. The ownership of Bonds shall be proved by the Bond Register. Any request, consent or vote of the Owner of any Bond shall bind every future Owner of the same Bond and the Owner of every Bond issued in exchange therefor or in lieu thereof, in respect of anything done or suffered to be done by the Trustee or the City in pursuance of such request, consent or vote.

Section 8.04. Bonds Owned by City. In determining whether the Owners of the requisite aggregate principal amount of Bonds shall have concurred in any demand, request, direction, consent or waiver under this Indenture, Bonds which shall be owned by the City or by any person directly or indirectly controlling or controlled by or under common control with the City, shall be disregarded and deemed not to be Outstanding for the purpose of any such determination, provided that for the purpose of determining whether the Trustee shall be protected in relying on any such demand, request, direction, consent or waiver only Bonds which the Trustee shall know to be so owned shall be disregarded. Bonds so owned which have been pledged in good faith may be regarded as Outstanding for the purpose of this Section if the pledgee shall establish to the satisfaction of the Trustee the pledgee's right to vote such Bonds and that the pledgee is not a person directly or indirectly controlling or controlled by or under common control with the City. In case of a dispute as to such right, any decision by the Trustee taken upon the advice of counsel shall be full protection to the Trustee.

(End of Article VIII)

## ARTICLE IX SUPPLEMENTAL INDENTURES

Section 9.01. Supplemental Indentures Not Requiring Owner Consent. The City, when authorized by ordinance, from time to time and at any time, subject to the conditions and restriction of this Indenture, may enter into Supplemental Indentures for any one or more of all of the following purposes:

(A) To add to the covenants and agreements of the City under this Indenture, or to surrender any right or power herein reserved by or conferred upon the City;

(B) To make such provisions for the purpose of curing any ambiguity, or of curing or correcting any defective or inconsistent provisions contained in this Indenture as the City may deem necessary or desirable and not inconsistent with this Indenture and which shall not adversely affect the interests of the Owners of the Bonds,

(C) To subject, describe or redescribe any property subjected or to be subjected to the lien of this Indenture;

(D) To authorize the issuance of Additional Bonds as provided in Section 2.13 hereof;

(E) Any other amendment which would not have a material adverse affect on the Holders of the Bonds;  
or

(F) To modify, amend or supplement this Indenture or any indenture supplemental hereto in such manner as to permit the qualification hereof and thereof under the Trust Indenture Act of 1939 or any similar federal statute hereafter in effect, and, for the purpose of such qualification, to add to this Indenture or any indenture supplemental hereto such other terms, conditions and provisions as may be required by said Trust Indenture Act of 1939 or similar federal statute.

Any Supplemental Indenture authorized by the provisions of this Section may be executed by the City and the Trustee without the consent of the Owners of any Outstanding Bonds, notwithstanding any of the provisions of Section 9.02, but the Trustee shall not be obligated to enter into any such Supplemental Indenture which affects the Trustee's own rights, duties or immunities under this Indenture or otherwise.

Section 9.02. Supplemental Indentures Requiring Owner Consent. (A) With the consent of the Owners of not less than 51% in Outstanding Bonds, the City, when authorized by ordinance may from time to time and at any time enter into a Supplemental Indenture for the purpose of adding any provisions to or changing in any manner or eliminating any of the provisions of this Indenture or of any Supplemental Indenture; provided, however, that no such Supplemental Indenture shall (i) extend the maturity of any Bond or reduce the rate of interest thereon or extend the time of payment of interest, or reduce the amount of the principal thereof, or reduce any premium payable on the redemption thereof, without the consent of the Owner of each Bond so affected, or (ii) reduce the aforesaid percentage of Owners of Bonds required to approve any such supplemental indenture, without the consent of the Owners of all the Outstanding Bonds. Upon receipt by the Trustee of a duly passed legal, valid and binding ordinance of the City authorizing the execution of any such Supplemental



Indenture, and upon the filing with the Trustee of evidence of the consent of Owners, as aforesaid, the Trustee shall join with the City in the execution of such Supplemental Indenture unless such Supplemental Indenture shall affect the Trustee's own rights, duties or immunities under this Indenture or otherwise, in which case the Trustee may in its discretion, but shall not be obligated to, enter into such Supplemental Indenture.

(B) It shall not be necessary for the consent of the Owners of the Bonds under this Section to approve the particular form of any proposed Supplemental Indenture, but it shall be sufficient if such consent shall approve the substance thereof.

Section 9.03. Effect of Supplemental Indentures. Upon the execution of any Supplemental Indenture pursuant to the provisions of this Article, this Indenture shall be deemed to be modified and amended in accordance therewith, and the respective rights, duties and obligations of the City, the Trustee and all Owners of Outstanding Bonds shall thereafter be determined, exercised and enforced hereunder subject in all respects to such modifications and amendments, and all the terms and conditions of any such Supplemental Indenture shall be deemed to be part of the terms and conditions of this Indenture for any and all purposes.

Section 9.04. Reliance on Opinion of Counsel. The Trustee may rely on an Opinion of Counsel as evidence that any supplemental indenture executed pursuant to the provisions of this Article complies with the requirements of this Indenture.

(End of Article IX)

## **ARTICLE X DEFEASANCE**

Section 10.01. Discharge and Satisfaction. (A) The covenants, liens and pledges entered into, created and imposed pursuant to this Indenture may be fully discharged and satisfied with respect to the Bonds in any one or more of the following ways:

- (1) By paying all of the principal, premium, if any, and interest on the Bonds, when the same become due and payable; or
- (2) By depositing with the Trustee in the manner provided by this Indenture and for such purpose, at or before the date or dates of maturity or redemption, money in the necessary amount to pay or redeem all of the Bonds and the premium, if any, and interest thereon accrued to the date of payment; or
- (3) By depositing with the Trustee, and for such purpose, at or before the dates of maturity or redemption, Government Obligations in an amount sufficient, including any income or increment to accrue thereon, but without the necessity of any reinvestment, to pay or redeem all the Bonds and the interest thereon accrued to the date of payment in accordance with their terms; or
- (4) By delivery to the Trustee, for cancellation by it, of all unpaid Bonds;

and in each case by the payment or adequate provision for payment of all other sums payable hereunder by the City.

(B) Upon such complete discharge and satisfaction, this Indenture shall, subject to the provisions of Section 10.03 hereof, cease, determine and become null and void, and thereupon the Trustee shall, upon the written request of the City, and upon receipt by the Trustee of an Officer's Certificate from the City and Counsel's Opinion, each stating that in the opinion of the signers all conditions precedent to the satisfaction and discharge of this Indenture have been complied with, forthwith execute proper instruments acknowledging satisfaction of and discharging this Indenture which shall be without prejudice to the rights of the Trustee to charge and be reimbursed by the City for any expenditures which it may thereafter incur in connection therewith.

Section 10.02. Partial Discharge and Satisfaction. (A) The covenants, liens and pledges entered into, created and imposed pursuant to this Indenture may be partially discharged and satisfied with respect to any Bonds in any one or more of the following ways:

- (1) By paying all of the principal, premium, if any, and interest on such Bonds, when the same become due and payable; or

May 9, 1994

(2) By depositing with the Trustee in the manner provided by this Indenture and for such purpose, at or before the date or dates of maturity or redemption, money in the necessary amount to pay or redeem such Bonds and the premium, if any, and interest thereon accrued to the date of payment; or

(3) By depositing with the Trustee, and for such purpose, at or before the dates of maturity or redemption, Special Government Obligations in an amount sufficient, including any income or increment to accrue thereon, but without the necessity of any reinvestment, to pay or redeem such Bonds and the interest thereon accrued to the date of payment in accordance with their terms: or

(4) By delivering such Bonds to the Trustee for cancellation.

and in each case by the payment or adequate provision for payment of all other sums payable hereunder by the City.

(B) Upon such payment or deposit, the Bonds for which such payment or deposit has been made shall no longer be subject to or entitled to the protection of this Indenture and as to such Bonds the Indenture shall, subject to the provisions of Section 10.03 hereof, cease, determine and become null and void.

Section 10.03. City's Liability Terminated. Upon the deposit with the Trustee of money or securities in the amount required by Section 10.01 or Section 10.02 hereof, provided that if the Bonds are to be redeemed prior to the maturity thereof notice of such redemption shall have been given as provided herein, or such provisions satisfactory to the Trustee shall have been made for the giving of such notice, all liability of the City with respect to the Bonds to be redeemed shall cease, determine and be completely discharged and the Owners thereof shall thereafter be entitled only to payment out of the money or securities of the City deposited with the Trustee as aforesaid for their payment. Notwithstanding the foregoing provisions of this Section 10.03, the covenants of the City in Section 12.01 shall survive and continue in effect until all Bonds and the interest thereon have been paid in full.

(End of Article X)

## ARTICLE XI INSURANCE

Section 11.01. Fire and Extended Coverage Insurance. The City covenants to maintain for so long as any of the Bonds are Outstanding hereunder, fire and extended coverage insurance on all insurable portions of the Facilities. The City shall maintain so long as any of the Bonds are Outstanding hereunder public liability insurance with respect to operations of the Facilities with coverage and limits consistent with sound insurance practices of owners of similar facilities. The City shall deposit with the Trustee, at such time as the Trustee may reasonably request, a detailed statement of the policies of insurance then outstanding and in force.

All of the policies of insurance referred to above shall be with companies and in amounts satisfactory to the Trustee and may provide for deductions of up to \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), as adjusted annually for inflation pursuant to the Implicit Price Deflator for State and Local Government Purchases published by the Department of Commerce of the United States of America or any successor index.

In the event that the City in good faith determines that any insurance required above is not commercially available at a reasonable cost with reasonable terms, it shall so certify to the Trustee and notify the Trustee that it proposes to engage an independent insurance consultant to make recommendations regarding the types, amounts, and provisions of any such insurance that should be purchased by the City and alternative or supplementary programs to provide protection against the types of losses and liabilities covered by such insurance. The City may, upon the recommendations of such insurance consultant, adopt alternative and supplemental risk management programs which the City determines to be reasonable and which shall not have a material adverse impact on the Revenues, including, without limitation, the right to self-insure in whole or in part, to organize, either solely or in connection with other institutions or organizations, captive insurance companies, to participate in programs of captive insurance companies organized by others, to establish a self insurance trust fund, to participate in mutual or other cooperative insurance or other risk management programs with other institutions or organizations, to participate in or enter into agreements with local, state or federal governments in order to achieve such insurance, or to participate in other alternative risk management programs.

Section 11.02. Application of Insurance Proceeds. Within a reasonable time after the occurrence of any loss or damage to or destruction of any part of any Facility covered by the insurance, the City shall determine whether to apply the proceeds of such insurance to the extent required for the purpose of repairing or reconstructing the damaged property. If the City elects so to apply the proceeds, the repairs and reconstruction



shall be completed as expeditiously as possible. If the City elects not to apply the proceeds for the purpose of repair or reconstruction, such proceeds shall be held and accounted for by the City as a part of the Parks Project Revenue Fund and applied in accordance with the terms thereof subject to Section 5.04 hereof.

Pending disbursement for the purpose aforesaid, the City may from time to time invest all or any part of such unexpended insurance proceeds as determined by the City in Investment Securities. Interest accruing and any realized gains or losses as a result of any such investments shall be credited or debited to the balance of such unexpended insurance proceeds. Pending application for the uses and purposes herein provided the moneys and investments carried to the credit of the unexpended insurance proceeds shall be subject to a lien and charge in favor of the Bonds Outstanding as further security for the payment of such Bonds.

Section 11.03. Insurance Pending Construction. The City hereby covenants and agrees that in all contracts for the construction or improvement of Projects, it will require that insurance be carried by the general contractor with respect to all builder's risks, including fire and windstorm, or if it shall not so require, that it will itself adequately insure such Project or improvement thereto from its inception. The City shall file with the Trustee, within sixty (60) days after the authentication of the first of the Bonds to be issued to finance each such Project or improvement thereto, a certificate evidencing such insurance.

Section 11.04. Business Interruption Loss Insurance. The City covenants to maintain so long as any of the Bonds are Outstanding hereunder, business interruption loss insurance for any Facility producing One Hundred percent (100%) or more of the Net Revenues of the Facilities to insure against loss of projected Net Revenues for such time (being at least a period of twelve (12) months) as use of the Facilities or any portion thereof is interrupted by damage or destruction from events insured against, under a standard extended coverage endorsement.

(End of Article XI)

## ARTICLE XII MISCELLANEOUS

Section 12.01. Tax Covenants. The City will not take any action, or fail to take any action, if any such action or failure to take action would adversely affect the exclusion from gross income of the interest on the Bonds under Section 103 of the Code. The City will not directly or indirectly use or permit the use of any proceeds of the Bonds or any other funds of the City, or take or omit to take any action that would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148(a) of the Code. To that end, the City will comply with all requirements of Section 148 of the Code to the extent applicable to the Bonds. In the event that at any time the City is of the opinion that for purposes of this Section 12.01 it is necessary to restrict or limit the yield on the investment of any moneys held by the Trustee under this Indenture, the City shall so instruct the Trustee in writing and the Trustee shall take such action as may be necessary in accordance with such instructions notwithstanding the provisions of Section 4.07 of this Indenture. This covenant shall survive payment in full or defeasance of the Bonds. The Trustee shall comply with all reasonable instructions of the City given in accordance with the Rebate Memorandum.

Section 12.02. Performance. The City shall do and perform or cause to be done and performed all acts and things required to be done or performed by or on behalf of the City under the provisions of this Indenture.

Section 12.03. Compliance With Conditions Precedent. Upon the date of issuance of any of the Bonds, all conditions, acts and things required by law or by this Indenture to exist, to have happened or to have been performed precedent to or in the issuance of such Bonds shall exist, have happened and have been performed, and such Bonds, together with all other indebtedness of the City, shall be within every debt and other limit prescribed by law.

Section 12.04. Power to Issue Bonds and Pledge Trust Estate. The City is duly authorized under all applicable laws to authorize and issue the Bonds and to enter into, execute and deliver this Indenture and to pledge the Trust Estate in the manner and to the extent herein provided. The Trust Estate is and will be free and clear of any pledge, lien, charge or encumbrance thereon, or with respect to any pledge, lien, charge or encumbrance thereon, the security interest created by this Indenture shall be prior to, such other pledge, and all corporate or other action on the part of the City to that end has been and will be duly and validly taken. The Bonds and the provisions of this Indenture are and will be the valid and legally enforceable obligations of the City in accordance with their terms and the terms of this Indenture. The City shall at all times, to the extent permitted by law, defend, preserve and protect the pledge of the Trust Estate, and all the rights of the Owners under this Indenture against all claims and demands of all persons whomsoever.

May 9, 1994

Section 12.05. Payment of Bonds. The City shall duly and punctually pay or cause to be paid (solely from the sources described herein) the principal of, premium, if any, and interest on every Bond, on the dates and at the places and in the manner stated in the Bonds, according to the true intent and meaning thereof.

Section 12.06. Extensions of Payment. The City shall not directly or indirectly extend or assent to the extension of the maturity of any of the Bonds or the time of payment of any claims for interest by the purchase or funding of such Bonds or claims for interest. In the event that the maturity of any of the Bonds or the time for payment of any such claims for interest shall be extended, such Bonds or claims for interest shall not be entitled to the benefit of this Indenture or to any payment out of the Accounts established pursuant to this Indenture, including the investments, if any, thereof, or out of the Trust Estate prior to benefits accorded to or the payment of the principal of all Bonds, the maturity of which has not been extended, and of such portion of the accrued interest on the Bonds as shall not be represented by such claims for interest. Nothing herein shall be deemed to limit the right of the City to issue bonds for refunding purposes and such issuance shall not be deemed to constitute an extension of maturity of Bonds.

Section 12.07. Offices for Servicing Bonds. The City shall at all times maintain or cause to be maintained an office or agency in Indiana where Bonds may be presented for registration, transfer or exchange, and where notices, presentations and demands upon the City in respect of the Bonds or of this Indenture may be served. The City hereby appoints the Trustee as its agent to maintain such office or agency for the registration, transfer or exchange of Bonds, and for the service of such notices, presentations and demands upon the City.

Section 12.08. Waiver of Laws. The City shall not at any time insist upon or plead in any manner whatsoever, or claim or take the benefit or advantage of any law or laws now or at any time hereafter in force which may affect the covenants and agreements contained in this Indenture or in the Bonds and all benefit or advantage of any such law or laws is hereby expressly waived by the City.

Section 12.09. Successors and Assigns. All the covenants, stipulations, promises and agreements contained in this Indenture, by or on behalf of the City, shall bind and inure to the benefit of its successors and assigns.

Section 12.10. Benefits of Indenture Limited. Nothing in this Indenture or in the Bonds expressed or implied is intended or shall be construed to give any person other than the City, the Trustee and the Owners of the Bonds issued hereunder, any legal or equitable right, remedy or claim under or in respect to this Indenture or any covenants, conditions or provisions therein or herein contained and all such covenants, conditions and provisions are and shall be held to be for the sole and exclusive benefit of the City, the Trustee and the Owners of the Bonds.

Section 12.11. Waiver of Notice. Whenever in this Indenture the giving of notice by mail or otherwise shall be required, the giving of such notice may be waived in writing by the person entitled to receive such notice and in any such case the giving or receipt of such notice shall not be a condition precedent to the validity of any action taken in reliance upon such waiver.

Section 12.12. Severability. In case any one or more of the provisions contained in this Indenture or in the Bonds shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions of this Indenture, but this Indenture shall be construed as if such invalid or illegal or unenforceable provision had never been contained herein.

Section 12.13. Notice. Any notice, requisition, direction, certificate or other writing on behalf of the City, Trustee or City required by this Indenture shall, unless otherwise specified herein, be signed by an Authorized Officer. Any notice to or demand upon the Trustee may be served or made at the main corporate trust office of the Trustee by first class mail to:

\_\_\_\_\_, Trustee

Indianapolis, Indiana 46204

Attention: \_\_\_\_\_

Any notice to or demand upon the City may be served by first class mail to:

City of Indianapolis  
2221 City-County Building  
200 East Washington Street  
Indianapolis, Indiana  
Attention: City Controller



or at such other addresses as may be filed in writing with the parties hereto.

Section 12.14. Counterparts. This Indenture may be executed in any number of counterparts and each of such counterparts shall for all purposes be deemed to be an original and such counterparts, or as many of them as the City and the Trustee shall preserve undestroyed, shall together constitute but one and the same instrument.

Section 12.15. No Recourse Against Directors and Officers. No recourse under or upon any obligation, covenant or agreement contained in this Indenture, or in any Bond hereby secured, or under any judgment obtained against the City, or by the enforcement of any assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise or under any circumstances, under or independent of this Indenture, shall be had against any officer, as such, past, present or future, of the City for the payment for or to the Owner of any Bond issued hereunder of any sum that may be due and unpaid by the City upon any such Bond. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such officer, as such, to respond by reason of any act or omission on his part or otherwise, for the payment for or to the Owner of any Bond issued hereunder or otherwise, of any sum that may remain due and unpaid upon the Bonds hereby secured or any of them is hereby expressly waived and released as a condition of and consideration for the execution of this Indenture and the issuance of the Bonds.

Section 12.16. Governing Law. This Indenture shall be governed exclusively by the provisions hereof and by the applicable laws of the State.

Section 12.17. Nonbusiness Days. Whenever any act is required by this Indenture to be done on a specified day or date, and such day or date shall be a day other than a business day, then such act may be done on the next succeeding business day.

(End of Article XII)

IN WITNESS WHEREOF, the City has caused these presents to be signed in its name and behalf by its Mayor and its corporate seal to be impressed hereon and attested by its City Clerk, and to evidence its acceptance of the trusts hereby created, the Trustee has caused these presents to be signed in its name and behalf by an Authorized Officer, its official seal to be impressed hereon and attested by an Authorized Officer, and to evidence its acceptance of the responsibilities of a Registrar and Paying Agent created hereunder, the Registrar and Paying Agent has caused these presents to be signed in its name and behalf by an Authorized Officer, its official seal to be impressed hereon and attested by an Authorized Officer, all as of \_\_\_\_\_ 1, 1994.

CITY OF INDIANAPOLIS

By: \_\_\_\_\_  
Stephen Goldsmith, Mayor

Attest:

By: \_\_\_\_\_  
Robert G. Elrod, Acting City Clerk

Trustee

By: \_\_\_\_\_  
\_\_\_\_\_, Trust Officer

Attest:

By: \_\_\_\_\_  
Trust Officer

[SEAL]

Registrar and Paying Agent

By: \_\_\_\_\_  
Vice President

Attest:

By: \_\_\_\_\_  
Assistant Vice President

This Instrument was prepared by Bryan J. Collins, Attorney-at-Law, Bingham Summers Welsh & Spilman, 2700 Market Tower, 10 West. Market Street, Indianapolis, Indiana 46204.

May 9, 1994

EXHIBIT A

[FORM OF SERIES 1994 A BOND]

CITY OF INDIANAPOLIS  
PARKS PROJECT REVENUE BOND,  
SERIES 1994 A

REGISTERED

No. R-1

MATURITY  
DATE

AUTHENTICATION  
DATE

ORIGINAL  
ISSUE  
DATE

PRINCIPAL AMOUNT:

REGISTERED OWNER: \_\_\_\_\_, as Trustee for The Indianapolis Local Public Improvement Bond Bank pursuant to a Trust Indenture dated as of \_\_\_\_\_ 1, 1994.

**KNOW ALL MEN BY THESE PRESENTS:** That the City of Indianapolis (the "City"), a consolidated city of the first class with home rule powers organized and existing under the laws of the State of Indiana (the "State"), for value received hereby promises to pay to the Registered Owner specified above or registered assigns, solely from the sources and in the manner provided in the Indenture hereinafter referred to, the Principal Amount of \$ \_\_\_\_\_ with interest commencing January 1, 1995 in annual installments of principal and semi-annual installments of interest as follows:

Year	Principal Due January 1	Interest Rate
	\$	%

Interest payments shall be made by wire transfer of immediately available funds to the trustee under the Bond Bank Indenture (as defined in the Indenture) five business days prior to each Interest Payment Date (as defined in the Indenture). Principal of and premium, if any, on this Bond shall be paid upon presentation and surrender of this Bond at the principal corporate trust office of the Registrar and Paying Agent (as defined in the Indenture). The Principal Amount due on this Bond shall be reduced by each principal payment.

In order to secure the City of Indianapolis Parks Project Revenue Bond, Series 1994 A (the "Bond"), the City has entered into a Trust Indenture ("Indenture") dated as of \_\_\_\_\_ 1, 1994 with \_\_\_\_\_, as Trustee, Registrar and Paying Agent (the "Trustee" "Registrar" and "Paying Agent").

This Bond shall not be entitled to any benefit under the Indenture nor will it become valid or obligatory for any purpose until it shall have been authenticated by the Registrar and Paying Agent, or its successor, by the execution of the Certificate of Authentication endorsed hereon.

This Bond is one of a series of bonds issued under the Indenture. This Bond is issued to refund the Whispering Hills Interfund Loan (as defined in the Indenture) and related expenditures incident thereto. This Bond is issued in accordance with, and is secured by and entitled to the benefits of, the Indenture except as otherwise expressly provided in or permitted by the Indenture and is payable solely out of the Trust Estate as and to the extent provided in the Indenture.

This Bond is secured by and entitled to the protection of the Indenture. Additional Bonds may be issued under the Indenture as provided in the Indenture. This Bond and such Additional Bonds are hereafter referred to as the "Bonds". To secure payment of principal of and interest on all the Bonds and performance of all other covenants of the City under the Indenture, the City, pursuant to the Indenture, has assigned and pledged to the Trustee, and has granted to the Trustee a security interest in the Trust Estate (as defined in the Indenture). Reference is hereby made to the Indenture for a description of the rights, duties and obligations of the City, the Trustee, the Registrar and Paying Agent and the owners of the Bonds, the terms and conditions upon which the Bonds are or may be issued. Copies of the Indenture are on file at the principal corporate trust office of the



Trustee. By acceptance of this Bond, the Registered Owner of this Bond accepts all of the terms and provisions of the Indenture.

This Bond is transferable by the Registered Owner hereof in person or by its attorney duly authorized in writing at the principal corporate trust office of the Registrar and Paying Agent, but only in the manner, subject to the limitations and upon payment of the charges provided in the Indenture and upon surrender and cancellation of the Bond. Upon any transfer, a new Bond or Bonds of the same maturity and of authorized denomination or denominations for the same principal amount will be issued to the transferee in exchange therefor.

The Registrar and Paying Agent is not required to register, transfer or exchange any Bonds after the mailing of notice calling this Bond for redemption has been made, or during a period of fifteen (15) days next preceding mailing a notice of redemption of any Bonds.

The City, the Trustee and the Registrar and Paying Agent may deem and treat the Registered Owner hereof as the absolute owner of this Bond for the purpose of receiving payment of or on account of principal hereof, premium, if any, hereon and the interest due hereon and for all other purposes, and neither the City, the Trustee, nor the Registrar and Paying Agent shall be affected by any notice to the contrary.

The Bonds are issuable as fully registered Bonds in denominations of \$5,000 and any whole multiple thereof. Subject to the limitations and upon payment of the charges provided in the Indenture, registered Bonds may be exchanged for a like aggregate principal amount of registered Bonds of the same series and the same maturity of authorized denominations.

This Bond is subject to redemption prior to maturity at the option of the City as a whole or in part in such principal amounts as the City shall determine on any date no earlier than \_\_\_\_\_, \_\_\_\_ from any money made available for that purpose. All such redemptions shall be at the principal amount being redeemed plus accrued interest to the date fixed for redemption, together with the premium (expressed as a percentage of principal amount being redeemed), as follows:

102% if redeemed on \_\_\_\_\_ 1, 20 \_\_, or thereafter and on or before \_\_\_\_\_ 31, 20 \_\_;

101% if redeemed on \_\_\_\_\_ 1, 20 \_\_, or thereafter and on or before \_\_\_\_\_ 31, 20 \_\_;

100% if redeemed on \_\_\_\_\_ 1, 20 \_\_, or thereafter prior to maturity.

Notice of intended redemption shall be given by first class mail to the Registered Owner of this Bond at the address of such Registered Owner shown on the Registrar's Bond Register not less than 30 days nor more than 60 days prior to the redemption date.

If less than the total principal amount of the Bond is to be redeemed, the principal amount and related interest rate shall be designed by the City. Any principal amount of more than \$5,000 will be redeemed in a principal amount of an integral multiple of \$5,000.

Failure to give any notice described above for redemption by mailing or any defect therein shall not affect the validity of any proceedings for the redemption where proper notice has been given. All amounts so called for redemption will cease to bear interest on the specified redemption date, and shall no longer be protected by the Indenture and shall not be deemed to be Outstanding under the provisions of the Indenture, provided funds for their redemption are on deposit at the place of payment at that time.

This Bond, or any portion of this Bond, may be defeased, and the lien of the Indenture discharged as to such Bond or portion thereof, all as set forth in the Indenture.

The Registered Owner of this Bond shall have no right to enforce the provisions of the Indenture or to institute an action to enforce the covenants therein, or to taken any action with respect to any event of default under the Indenture, or to institute, appear in or defend any suit or other proceeding with respect thereto, except as provided in the Indenture. In certain events, on the conditions, in the manner and with the effect set forth in the Indenture, the principal of this Bond may be declared due and payable before the stated maturity thereof, together with interest accrued thereon. Modifications or alterations of the Indenture, or of any supplements thereto, may be made to the extent permitted by, and in accordance with, the Indenture.

May 9, 1994

This bond shall not be valid obligation until authenticated by the Trustee, or its successor in trust, by execution of the Trustee's certificate endorsed hereon.

**IN WITNESS WHEREOF**, the City has caused this Bond to be executed with the manual or facsimile signature of its Mayor, attested with the manual or facsimile signature of its City Clerk and with the manual or facsimile official seal of the City imprinted hereon, all as of the Original Issue Date identified above.

CITY OF INDIANAPOLIS

By: \_\_\_\_\_

Stephen Goldsmith, Mayor

[Seal]

Attest: \_\_\_\_\_

Robert G. Elrod, Acting City Clerk

#### CERTIFICATE OF AUTHENTICATION

This bond is one of an issue described in the within mentioned Indenture.

\_\_\_\_\_  
as Registrar and Paying Agent

By: \_\_\_\_\_

Authorized Representative

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or regulations. Capitalized terms not otherwise defined herein are used as defined in the Indenture.

TEN COM - as tenants in common

TEN ENT - as tenants by the entireties

JT TEN - as joint tenant with rights of survivorship and not as tenants in common

UNIF TRANS MIN ACT - \_\_\_\_\_ Custodian \_\_\_\_\_  
(Cust) (Minor)

Under Uniform Transfers to Minors

Act \_\_\_\_\_  
(State)

Additional abbreviations may also be used though not in the list above.

#### ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto

\_\_\_\_\_  
(Please print or typewrite name and address of Assignee)

(Please insert social security or other identifying number of Assignee \_\_\_\_\_)

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints \_\_\_\_\_ as attorney to transfer the said Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature guaranteed by: \_\_\_\_\_

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Recognized Signature Guarantee Program

REGISTERED OWNER:

\_\_\_\_\_  
NOTICE: The signature to this assignment must correspond with the name of the Registered Owner as it appears on Association the face of this Bond in every particular, without alteration or enlargement or any change whatsoever.



EXHIBIT B

[FORM OF SERIES 1994 B BOND]

CITY OF INDIANAPOLIS  
PARKS PROJECT REVENUE BOND,  
SERIES 1994 B

REGISTERED

No. R-1

MATURITY  
DATE

AUTHENTICATION  
DATE

ORIGINAL  
ISSUE  
DATE

PRINCIPAL AMOUNT:

REGISTERED OWNER: \_\_\_\_\_, as Trustee for The Indianapolis Local Public Improvement Bond Bank pursuant to a Trust Indenture dated as of \_\_\_\_\_ 1, 1994.

KNOW ALL MEN BY THESE PRESENTS: That the City of Indianapolis (the "City"), a consolidated city of the first class with home rule powers organized and existing under the laws of the State of Indiana (the "State"), for value received hereby promises to pay to the Registered Owner specified above or registered assigns, solely from the sources and in the manner provided in the Indenture hereinafter referred to, the Principal Amount of \$ \_\_\_\_\_ with interest commencing January 1, 1995 in annual installments of principal and semi-annual installments of interest as follows:

Year	Principal Due January 1	Interest Rate
	\$	%

Interest payments shall be made by wire transfer of immediately available funds to the trustee under the Bond Bank Indenture (as defined in the Indenture) five business days prior to each Interest Payment Date (as defined in the Indenture). Principal of and premium, if any, on this Bond shall be paid upon presentation and surrender of this Bond at the principal corporate trust office of the Registrar and Paying Agent (as defined in the Indenture). The Principal Amount due on this Bond shall be reduced by each principal payment.

In order to secure the City of Indianapolis Parks Project Revenue Bond, Series 1994 B (the "Bond"), the City has entered into a Trust Indenture ("Indenture") dated as of \_\_\_\_\_ 1, 1994 with \_\_\_\_\_, as Trustee, Registrar and Paying Agent (the "Trustee" "Registrar" and "Paying Agent").

This Bond shall not be entitled to any benefit under the Indenture nor will it become valid or obligatory for any purpose until it shall have been authenticated by the Registrar and Paying Agent, or its successor, by the execution of the Certificate of Authentication endorsed hereon.

This Bond is one of a series of bonds issued under the Indenture. This bond is issued to pay the costs of construction of the Initial Project (as defined in the Indenture) and related expenditures incident thereto. This Bond and any Additional Bonds (as defined in the Indenture) are issued in accordance with, and are all equally and ratably secured by and entitled to the benefits of, the Indenture except as otherwise expressly provided in or permitted by the Indenture and are payable solely out of the Trust Estate as and to the extent provided in the Indenture.

This Bond is secured by and entitled to the protection of the Indenture. Additional Bonds may be issued under the Indenture as provided in the Indenture. This Bond and such Additional Bonds are hereafter referred to as the "Bonds". To secure payment of principal of and interest on all the Bonds and performance of all other covenants of the City under the Indenture, the City, pursuant to the Indenture, has assigned and pledged to the Trustee, and has granted to the Trustee a security interest in the Trust Estate (as defined in the Indenture). Reference is hereby made to the Indenture for a description of the rights, duties and obligations of the City, the

May 9, 1994

Trustee, the Registrar and Paying Agent and the owners of the Bonds, the terms and conditions upon which the Bonds are or may be issued. Copies of the Indenture are on file at the principal corporate trust office of the Trustee. By acceptance of this Bond, the Registered Owner of this Bond accepts all of the terms and provisions of the Indenture.

This Bond is transferable by the Registered Owner hereof in person or by its attorney duly authorized in writing at the principal corporate trust office of the Registrar and Paying Agent, but only in the manner, subject to the limitations and upon payment of the charges provided in the Indenture and upon surrender and cancellation of the Bond. Upon any transfer, a new Bond or Bonds of the same maturity and of authorized denomination or denominations for the same principal amount will be issued to the transferee in exchange therefor.

The Registrar and Paying Agent is not required to register, transfer or exchange any Bonds after the mailing of notice calling this Bond for redemption has been made, or during a period of fifteen (15) days next preceding mailing a notice of redemption of any Bonds.

The City, the Trustee and the Registrar and Paying Agent may deem and treat the Registered Owner hereof as the absolute owner of this Bond for the purpose of receiving payment of or on account of principal hereof, premium, if any, hereon and the interest due hereon and for all other purposes, and neither the City, the Trustee, nor the Registrar and Paying Agent shall be affected by any notice to the contrary.

The Bonds are issuable as fully registered Bonds in denominations of \$5,000 and any whole multiple thereof. Subject to the limitations and upon payment of the charges provided in the Indenture, registered Bonds may be exchanged for a like aggregate principal amount of registered Bonds of the same series and the same maturity of authorized denominations.

This Bond is subject to redemption prior to maturity at the option of the City as a whole or in part in such principal amounts as the City shall determine on any date no earlier than \_\_\_\_\_, from any money made available for that purpose. All such redemptions shall be at the principal amount being redeemed plus accrued interest to the date fixed for redemption, together with the premium (expressed as a percentage of principal amount being redeemed), as follows:

102% if redeemed on \_\_\_\_\_ 1, 20\_\_, or thereafter and on or before \_\_\_\_\_ 31, 20\_\_;

101% if redeemed on \_\_\_\_\_ 1, 20\_\_, or thereafter and on or before \_\_\_\_\_ 31, 20\_\_;

100% if redeemed on \_\_\_\_\_ 1, 20\_\_, or thereafter prior to maturity.

Notice of intended redemption shall be given by first class mail to the Registered Owner of this Bond at the address of such Registered Owner shown on the Registrar's Bond Register not less than 30 days nor more than 60 days prior to the redemption date.

If less than the total principal amount of the Bond is to be redeemed, the principal amount and related interest rate shall be designed by the City. Any principal amount of more than \$5,000 will be redeemed in a principal amount of an integral multiple of \$5,000.

Failure to give any notice described above for redemption by mailing or any defect therein shall not affect the validity of any proceedings for the redemption where proper notice has been given. All amounts so called for redemption will cease to bear interest on the specified redemption date, and shall no longer be protected by the Indenture and shall not be deemed to be Outstanding under the provisions of the Indenture, provided funds for their redemption are on deposit at the place of payment at that time.

This Bond, or any portion of this Bond, may be defeased, and the lien of the Indenture discharged as to such Bond or portion thereof, all as set forth in the Indenture.

The Registered Owner of this Bond shall have no right to enforce the provisions of the Indenture or to institute an action to enforce the covenants therein, or to taken any action with respect to any event of default under the Indenture, or to institute, appear in or defend any suit or other proceeding with respect thereto, except as provided in the Indenture. In certain events, on the conditions, in the manner and with the effect set forth in the Indenture, the principal of this Bond may be declared due and payable before the stated maturity thereof, together with interest accrued thereon. Modifications or alterations of the Indenture, or of any supplements thereto, may be made to the extent permitted by, and in accordance with, the Indenture.



*Journal of the City-County Council*

This bond shall not be valid obligation until authenticated by the Trustee, or its successor in trust, by execution of the Trustee's certificate endorsed hereon.

**IN WITNESS WHEREOF**, the City has caused this Bond to be executed with the manual or facsimile signature of its Mayor, attested with the manual or facsimile signature of its City Clerk and with the manual or facsimile official seal of the City imprinted hereon, all as of the Original Issue Date identified above.

CITY OF INDIANAPOLIS

By: \_\_\_\_\_  
Stephen Goldsmith, Mayor

[Seal]  
Attest:

\_\_\_\_\_  
Robert G. Elrod, Acting City Clerk

**CERTIFICATE OF AUTHENTICATION**

This bond is one of an issue described in the within mentioned Indenture.

\_\_\_\_\_  
as Registrar and Paying Agent

By: \_\_\_\_\_  
Authorized Representative

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or regulations. Capitalized terms not otherwise defined herein are used as defined in the Indenture.

TEN COM - as tenants in common

TEN ENT - as tenants by the entireties

JT TEN - as joint tenant with rights of survivorship and not as tenants in common

UNIF TRANS MIN ACT - \_\_\_\_\_ Custodian \_\_\_\_\_  
(Cust) (Minor)

Under Uniform Transfers to Minors

Act \_\_\_\_\_  
(State)

Additional abbreviations may also be used though not in the list above.

**ASSIGNMENT**

For value received, the undersigned hereby sells, assigns and transfers unto

\_\_\_\_\_  
(Please print or typewrite name and address of Assignee)

(Please insert social security or other identifying number of Assignee \_\_\_\_\_)

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints \_\_\_\_\_ as attorney to transfer the said Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature guaranteed by:

\_\_\_\_\_  
NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Recognized Signature Guarantee Program

REGISTERED OWNER:

\_\_\_\_\_  
NOTICE: The signature to this assignment must correspond with the name of the Registered Owner as it appears on Association the face of this Bond in every particular, without alteration or enlargement or any change whatsoever.

**QUALIFIED ENTITY PURCHASE AGREEMENT**

**PURCHASE AGREEMENT**, dated as of the \_\_\_\_ day of \_\_\_\_, 1994, between the Indianapolis Local Public Improvement Bond Bank, a body corporate and politic ("Bond Bank"), created pursuant to the provisions of Indiana Code 5-1.4 ("Act"), having its principal place of business in the City of Indianapolis, Indiana, and the Board of Parks and Recreation of the City of Indianapolis, Indiana ("Board"), being the governing body of the Park District of the City of Indianapolis, Indiana ("Qualified Entity").

**WITNESSETH:**

**WHEREAS**, pursuant to the Act and a resolution adopted by the Bond Bank, the Bond Bank is authorized to purchase securities (as defined in the Act) ("Securities"), issued by qualified entities (as defined in the Act); and

**WHEREAS**, the Qualified Entity has duly authorized the issuance of its Bonds designated "City of Indianapolis, Park District Bonds, Series 1994A" in the amount of \$\_\_\_\_\_ (the "Qualified Obligations"), and the Qualified Obligations are a Security to be purchased by the Bond Bank in accordance with this Purchase Agreement; and

**WHEREAS**, the Qualified Entity has adopted a special resolution approving a Trust Indenture dated as of \_\_\_\_\_, 1994 (the "Indenture"), between the Qualified Entity and \_\_\_\_\_, as Trustee (the "Qualified Entity Trustee"), authorizing the issuance of the Qualified Obligations.

**NOW, THEREFORE**, the Bond Bank and the Qualified Entity agree:

1. The Bond Bank hereby agrees to purchase the Qualified Obligations and the Qualified Entity hereby agrees to sell to the Bond Bank the Qualified Obligations concurrently with the issuance by the Bond Bank of its bonds at a price of \$\_\_\_\_\_ for the Qualified Obligations, plus accrued interest on the Qualified Obligations to the date of delivery (\_\_\_\_\_, 1994) of the Qualified Obligations minus costs of issuance of both the Qualified Obligations and the Bond Bank bonds. The Qualified Obligations shall mature and bear interest as set forth in the Indenture. The other terms of the Qualified Obligations are set forth in the Indenture and are incorporated herein by reference.
2. The Qualified Entity has taken all proceedings required by law to enable it to issue its Qualified Obligations to be purchased by the Bond Bank.
3. Subject to Section 8, the Qualified Entity agrees to pay the Bond Bank on each interest payment date for the Qualified Obligations, reasonable fees and charges attributable to the purchase and administration of the Qualified Obligations required by the Bond Bank.
4. Simultaneously with the delivery to the Bond Bank of the Qualified Obligations, which Qualified Obligations shall be substantially in the form set forth in the Indenture and registered in the name of the Bond Bank, the Qualified Entity shall furnish to the Bond Bank a transcript of proceedings and the opinion of Bingham Summers Welsh & Spilman, bond counsel, as to, among other things, the validity of the Qualified Obligations and the excludability from gross income for federal tax purposes of interest on the Qualified Obligations under Section 103 of the Internal Revenue Code of 1986, as amended and as in effect on such date (the "Code"); provided, however, if the Qualified Entity is unable to cause bond counsel to deliver such opinion, this Agreement shall be of no force or effect.
5. The Qualified Entity and the Bond Bank agree that the Qualified Obligations and the payments to be made thereon may be pledged or assigned by the Bond Bank under and pursuant to the Bond Bank's resolution, dated as of \_\_\_\_\_, 1994 ("Bond Bank Resolution").
6. The Qualified Entity covenants and agrees to furnish to the Bond Bank, if available, as long as the Qualified Obligations remain outstanding, annual financial reports, audit reports and such other financial information as is reasonably requested by the Bond Bank.
7. The Qualified Entity covenants and agrees to comply with the rebate requirements of Section 148(f) of the Code. The Qualified Entity will keep records of the investments made and the earnings on those investments and report this information to the Bond Bank annually so that the Bond Bank may make the rebate or penalty calculation, if applicable. The Bond Bank will assess the Qualified Entity for its



share of the arbitrage profits or penalty owed to the United States of America as a fee and will use these fees to pay the rebate amount owed.

8. If the Bond Bank determines to sell all or part of the Qualified Obligations, it agrees to pay or reimburse the Qualified Entity for all costs associated therewith including the printing of notes, obtaining ratings therefor and providing services of a registrar and paying agent therefor.
9. Notwithstanding paragraphs 3 and 8 hereof to the contrary, the Qualified Entity's obligation to pay fees and charges imposed on the Qualified Entity thereunder shall be limited solely to Revenues available therefor under the Indenture.
10. If any provision of this Purchase Agreement shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such provision shall not affect any of the remaining provisions of this Purchase Agreement and this Purchase Agreement shall be construed and be in force as if such invalid or unenforceable provision had not been contained herein.
11. This Purchase Agreement may be executed in one or more counterparts, any of which shall be regarded for all purposes as an original and all of which constitute but one and the same instrument. The Bond Bank and the Qualified Entity each agree that they will execute any and all documents or other instruments and take such other actions as may be necessary to give effect to the terms of this Purchase Agreement.
12. No waiver by either the Bond Bank or the Qualified Entity of any term or condition of this Purchase Agreement shall be deemed or construed as a waiver of any other terms or conditions, nor shall a waiver of any breach be deemed to constitute a waiver of any subsequent breach, whether of the same or of a different section, subsection, paragraph, clause, phrase or other provision of this Purchase Agreement.
13. This Purchase Agreement merges and supersedes all prior negotiations, representations, and agreements between the Bond Bank and the Qualified Entity relating to the subject matter hereof and constitutes the entire agreement between the Bond Bank and the Qualified Entity in respect hereof.

IN WITNESS WHEREOF, we have hereunto set our hands as of the day and year first above written.

THE INDIANAPOLIS LOCAL PUBLIC  
IMPROVEMENT BOND BANK

By: \_\_\_\_\_,  
Chairman

Attest:

\_\_\_\_\_  
James C. Snyder, Executive Director

[Seal]

CITY OF INDIANAPOLIS

By: \_\_\_\_\_  
Stephen Goldsmith, Mayor

[Seal]

Attest:

\_\_\_\_\_  
Robert G. Elrod, Acting City Clerk

\_\_\_\_\_  
James H. Steele, Jr.  
Controller, City of Indianapolis

PROPOSAL NO. 243, 1994. The proposal appropriates \$645,000 for the Sheriff to cover food expense for the jail inmates through the end of the year and to pay for inmate housing at the Riverside Community Corrections facility. Councillor Dowden asked for consent to postpone Proposal No. 243, 1994 until June 13, 1994. Consent was given.

May 9, 1994

PROPOSAL NO. 244, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 244, 1994 on April 27, 1994. The proposal appropriates \$8,903 for the Superior Court, Civil Division, Room Four, to pay the National Center for State Courts for a management review of the Family Law Courts in Marion County. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 7:47 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 244, 1994 was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Black, Borst, Boyd, Brents, Curry, Dowden, Franklin, Giffin, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, West, Williams*

0 NAYS:

4 NOT VOTING: *Coughenour, Golc, Ruhmkorff, Smith*

Proposal No. 244, 1994 was retitled FISCAL ORDINANCE NO. 35, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 35, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Eight Thousand Nine Hundred Three Dollars (\$8,903) in the State and Federal Grants Fund for purposes of the Superior Court, Civil Division, Room Four, and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (qq) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Superior Court, Civil Division, Room Four, to pay the National Center for State Courts for a management review of the Family Law Courts in Marion County.

SECTION 2. The sum of Eight Thousand Nine Hundred Three Dollars (\$8,903) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>SUPERIOR COURT, CIVIL DIVISION, ROOM FOUR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>\$8,903</u>
TOTAL INCREASE	\$8,903

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>\$8,903</u>
TOTAL REDUCTION	\$8,903

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 245, 1994. The proposal appropriates \$58,971 for Community Corrections to provide additional security to supervise an increased number of inmates being housed in



the Community Corrections Center. Councillor Dowden asked for consent to postpone Proposal No. 245, 1994 until June 13, 1994.

### **SPECIAL ORDERS - UNFINISHED BUSINESS**

PROPOSAL NO. 162, 1994. The proposal, sponsored by Councillors SerVaas, Beadling, Borst, Coughenour, Curry, Franklin, Gilmer, McClamroch, O'Dell, Rhodes and Smith, designates the east and west wings of the City-County Building for court facilities and approving securing those wings from unauthorized access. Councillor Curry moved, seconded by Councillor Beadling, to postpone Proposal No. 162, 1994 until June 13, 1994. This motion passed by unanimous voice vote.

### **SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 548, 1993. The proposal concerns leave benefits for City-County employees. Councillor Rhodes stated that he had been asked by the Controller and Auditor to make this proposal effective as of September 1, 1994; therefore, he moved to technically amend Proposal No. 548, 1993, as follows: *SECTION 4. This ordinance shall be in effect from and after September 1, 1994.* This motion passed by unanimous voice vote.

PROPOSAL NO. 107, 1994. The proposal approves a salary administration plan for the City. PROPOSAL NO. 108, 1994. The proposal approves a new salary schedule for bi-weekly civilian employees. PROPOSAL NO. 109, 1994. The proposal approves a new salary schedule for bi-weekly employees of the Police Special Service District. PROPOSAL NO. 110, 1994. The proposal approves a new salary schedule for bi-weekly employees of the Fire Special Service District. PROPOSAL NO. 111, 1994. The proposal approves a new salary schedule for bi-weekly employees of the Solid Waste Collection Special Service District.

Councillor McClamroch moved to postpone Proposal Nos. 548, 1993; 107, 108, 109, 110 and 111, 1994 until May 23, 1994. He said that the issues are complex and he believes the Councillors have not received sufficient information to be able to make a decision on these proposals. The President stated that the administration has told him that an explanation will be prepared of all the changes that have been made to these proposals and how they will be implemented. This report will be delivered to the Councillors within the next few days. Councillor McClamroch's motion passed by unanimous voice vote.

PROPOSAL NO. 238, 1994. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 238, 1994 on May 4, 1994. The proposal, sponsored by Councillor Rhodes, authorizes the execution of an amendment to the City-County Building lease between the Building Authority, the City, and the County. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Curry moved, seconded by Councillor Dowden, for adoption. Proposal No. 238, 1994 was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
3 NAYS: *Borst, Golc, Hinkle*  
1 NOT VOTING: *Black*

May 9, 1994

Proposal No. 238, 1994 was retitled SPECIAL RESOLUTION NO. 38, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 38, 1994

A SPECIAL RESOLUTION of the City of Indianapolis authorizing the execution of an Amendment to the City-County Building Lease between the Indianapolis-Marion County Building Authority, the City of Indianapolis, and the Board of Commissioners of the County of Marion.

WHEREAS, the Indianapolis-Marion County Building Authority (hereinafter called the "Authority"), the City of Indianapolis, Indiana (hereinafter called the "City"), and the Board of Commissioners of the County of Marion, Indiana (hereinafter called the "County") made and executed the City-County Building Lease dated August 3, 1959; and

WHEREAS, the City-County Building Lease, as amended, at Section 4.02, provides that the additional rentals to be paid by the City and County to the Authority shall be in proportion to the percentage of space allocated to the City and County as set forth in Section 3.02 of such Lease; and

WHEREAS, Section 3.02 of the City-County Building Lease provides that the City and County may, by agreement approved by the Authority, reallocate the space assigned to them in the City-County Building; and

WHEREAS, the City and County desire to amend the City-County Building Lease to provide for an annual report by the Authority setting forth space information for determining the percentage of the additional rentals to be paid by the City and County and

WHEREAS, a proposed amendment to the City-County Building Lease has been submitted; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council hereby approves in all respects the Amendment to City-County Building Lease in the form made a part hereof and attached hereto as "Exhibit A."

SECTION 2. The Mayor of the City of Indianapolis and the Clerk of the City-County Council are authorized and directed, for and on behalf of the City, to execute and attest the Amendment to City-County Building Lease in substantially the form attached hereto as "Exhibit A".

SECTION 3. The Mayor of the City of Indianapolis and the Marion County Auditor are authorized and directed, for an on behalf of the County of Marion, to execute and attest the Amendment to City-County Building Lease in substantially the form attached hereto as "Exhibit A".

SECTION 4. This resolution shall be in full force and effect immediately upon its passage and signing by the Mayor.

PROPOSAL NO. 239, 1994. Councillor Coughenour reported that the Administration and Finance Committee heard Proposal No. 239, 1994 on May 2, 1994. The proposal amends the Revised Code concerning the Office of Youth and Family Services and the Department of Administration. The proposal would transfer the employment and training responsibilities from the Youth and Family Services to the Division of Workforce Development. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor Shambaugh, for adoption.

Councillor Williams asked if an Office of Youth and Family Services still exists. Councillor Coughenour responded that there is still an Office of Youth and Family Services. Councillor Williams asked if the City will continue to do job training. Bill Stephan, Deputy Director, Youth and Family Services, stated that the City works in partnership with Indianapolis Network for Employment & Training (iNET), which acts as a broker for employment and training service providers for the community.



Proposal No. 239, 1994 was adopted on the following roll call vote; viz:

24 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, Smith, West*

5 NAYS: *Giffin, Gilmer, Gray, Schneider, Williams*

Proposal No. 239, 1994 was retitled GENERAL ORDINANCE NO. 63, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 63, 1994

A GENERAL ORDINANCE amending Article IV of Chapter 202 and Articles II and III of Chapter 221 of the Revised Code dealing with the organization of the Department of Administration and the Office of Youth and Family Services.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Chapter 202 of the Revised Code of the Consolidated City and County be, and is hereby amended by inserting the language underlined and deleting the language stricken-through to read as follows:

CHAPTER 202

ARTICLE IV. OFFICE OF YOUTH AND FAMILY SERVICES

Sec. 202-304. Powers of office of youth and family services.

The office of youth and family services shall:

- (1) Administer and, subject to the approval of the director, contract for the administration of federal, state and locally funded programs including, but not limited to:

~~a. Employment and training programs~~

~~ba.~~ Programs for youth

~~eb.~~ Neighborhood health programs

~~ec.~~ Programs for senior citizens

~~ed.~~ Neighborhood centers

~~ef.~~ Homeless shelters

~~gf.~~ Other appropriate social service programs

- (2) Exercise any other powers and duties which may be granted by statute or ordinance or delegated by the mayor.

SECTION 2. Chapter 221 of the Revised Code of the Consolidated City and County be, and is hereby amended by inserting the language underlined to read as follows:

CHAPTER 221. DEPARTMENT OF ADMINISTRATION

ARTICLE II. ORGANIZATION

Sec. 221-13. Divisions established.

The department of administration shall be composed of the following divisions:

- (1) Administrative services division.
- (2) Human resources division.
- (3) Indianapolis fleet services division.

- (4) Equal opportunity division.
- (5) Real estate services division.
- (6) Workforce development division.

### ARTICLE III. DIVISIONS

#### Sec. 221-601. Workforce development division.

##### The workforce development division shall:

- (1) Administer and, subject to the approval of the director, contract for the administration of federal, state and locally funded employment and training programs; and
- (2) Exercise any other powers which may be granted by statute or ordinance or delegated by the mayor.

SECTION 3. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 4. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 5. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NOS. 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257 and 258, 1994. Councillor Gilmer asked for consent to vote on these twelve transportation proposals together. Consent was given. PROPOSAL NO. 247, 1994. The proposal amends the Code to include parking restrictions for Race Day of the Brickyard 400 (District 8). PROPOSAL NO. 248, 1994. The proposal amends the Code by authorizing a traffic signal at Zionsville Road and 74th Street (District 1). PROPOSAL NO. 249, 1994. The proposal amends the Code by authorizing a multi-way stop at Lafayette Road and 86th Street (District 1). PROPOSAL NO. 250, 1994. The proposal amends the Code by authorizing a multi-way stop at Evanston Avenue and 51st Street (District 6). PROPOSAL NO. 251, 1994. The proposal amends the Code by authorizing a multi-way stop at Edgewood Avenue and Harding Street (District 25). PROPOSAL NO. 252, 1994. The proposal amends the Code by authorizing a multi-way stop at Mills Road and Mooresville Road (District 19). PROPOSAL NO. 253, 1994. The proposal amends the Code by authorizing a multi-way stop at California Street and Vermont Street (District 16). PROPOSAL NO. 254, 1994. The proposal amends the Code by changing the speed limit for Westwood subdivision (District 18). PROPOSAL NO. 255, 1994. The proposal amends the Code by changing the speed limit on a segment of Hanna Avenue (District 20). PROPOSAL NO. 256, 1994. The proposal amends the Code by changing the speed limit on a segment of Harcourt Road (District 3). PROPOSAL NO. 257, 1994. The proposal amends the Code by authorizing a one-way restriction for Woodland Drive from Ohio Street to Washington Street (District 15). PROPOSAL NO. 258, 1994. The proposal amends the Code by authorizing a weight limit restriction on 79th Street from Zionsville Road to Moore Road (District 1). Councillor Gilmer reported that Proposal Nos. 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257 and 258, 1994 were heard by the Capital Asset Management Committee on April 27, 1994. By 6-0 votes, the Committee reported the



proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Shambaugh, for adoption. Proposal Nos. 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257 and 258, 1994, 1994 were adopted on the following roll call vote; viz:

29 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
0 NAYS:

Proposal No. 247, 1994 was retitled GENERAL ORDINANCE NO. 64, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 64, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-269, Parking prohibited at all times on certain designated streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sec 29-269 of the Code of Indianapolis and Marion County, Indiana, is hereby amended by inserting the language underlined to read as follows:

Sec. 29-269 Parking prohibited at all times on specified days. It shall be unlawful for any driver or operator of any vehicle to park such vehicle or to permit it to be parked at any time in any of the following places:

PROHIBITED TWO DAYS PRIOR TO AND ON QUALIFICATION  
DAYS AND RACE DAY OF INDIANAPOLIS 500-MILE RACE  
AND RACE DAY OF BRICKYARD 400 AS SCHEDULED BY THE  
INDIANAPOLIS MOTOR SPEEDWAY

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 248, 1994 was retitled GENERAL ORDINANCE NO. 65, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 65, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
2, Pg. 3	Zionsville Rd & 74th St	None	Signal

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 249, 1994 was retitled GENERAL ORDINANCE NO. 66, 1994 and reads as follows:

May 9, 1994

CITY-COUNTY GENERAL ORDINANCE NO. 66, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
I, Pg. 1	Lafayette Rd & 86th St	Lafayette Rd	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
I, Pg. 1	Lafayette Rd & 86th St	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 250, 1994 was retitled GENERAL ORDINANCE NO. 67, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 67, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18, Pg. 7	Evanston Av & 51st St	Evanston Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18, Pg. 7	Evanston Av & 51st St	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 251, 1994 was retitled GENERAL ORDINANCE NO. 68, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 68, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.



BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
38, Pg. 1	Edgewood Av & Harding St	Harding St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
38, Pg. 1	Edgewood Av & Harding St	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 252, 1994 was retitled GENERAL ORDINANCE NO. 69, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 69, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
44, Pg. 1	Mills Rd & Mooresville Rd	Mooresville Rd	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
44, Pg. 1	Mills Rd & Mooresville Rd	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 253, 1994 was retitled GENERAL ORDINANCE NO. 70, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 70, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

May 9, 1994

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
24, Pg. 4	California St & Vermont St	Vermont St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
24, Pg. 4	California St & Vermont St	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 254, 1994 was retitled GENERAL ORDINANCE NO. 71, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 71, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-136, Alteration of prima facie speed limits.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-136, Alteration of prima facie speed limits, be, and the same is hereby amended by the addition of the following, to wit:

25 MPH

Benoit Drive, from  
Catalano Drive to Shorter Drive

Catalano Drive, from  
Rogers Drive to Benoit Drive

Maradona Drive, from  
Rogers Drive to 21st Street

Rogers Drive, from  
Shorter Drive to Girls School Road

Shorter Drive, from  
Rogers Drive to Benoit Drive

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 255, 1994 was retitled GENERAL ORDINANCE NO. 72, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 72, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-136, Alteration of prima facie speed limits.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:



SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-136, Alteration of prima facie speed limits, be, and the same is hereby amended by the deletion of the following, to wit:

35 MPH  
Hanna Avenue, from  
Harding Street to Keystone Avenue

SECTION 2. The of Indianapolis and Marion County, Indiana," specifically Chapter 29, Section 29-136, Alteration of prima facie speed limits, be and the same is hereby amended by the addition of the following, to wit:

25 MPH  
Hanna Avenue, from  
Bowman Street to Asbury Street

35 MPH  
Hanna Avenue, from  
Harding Street to Bowman Street

35 MPH  
Hanna Avenue, from  
Asbury Street to Keystone

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 256, 1994 was retitled GENERAL ORDINANCE NO. 73, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 73, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-136, Alteration of prima facie speed limits.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-136, Alteration of prima facie speed limits, be, and the same is hereby amended by the addition of the following, to wit:

35 MPH  
Harcourt Road,  
from Westlane Road to 86th Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 257, 1994 was retitled GENERAL ORDINANCE NO. 74, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 74, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-166, One-way streets and alleys designated.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-166, One-way streets and alleys desingated, be and the same is hereby amended by the addition of the following, to wit:

May 9, 1994

ONE-WAY SOUTHBOUND

Woodland Drive, from  
Ohio Street to Washington Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 258, 1994 was retitled GENERAL ORDINANCE NO. 75, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 75, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-224, Trucks on certain streets restricted.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-224, Trucks on certain streets restricted, be, and the same is hereby amended by the addition of the following, to wit:

11,000 POUNDS

79th Street, from  
Zionsville Road to Moore Road

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**ANNOUNCEMENTS AND ADJOURNMENT**

Councillor Coughenour stated that all the Councillors have received the latest Air Pollution Control Regulations that will go into effect June 28, 1994, if the Council takes no action. The Public Works Committee will have a hearing on June 2, 1994 on this matter. Councillor Rhodes said that he would like the Air Pollution Control Regulations reduced to a two or three page executive summary.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:25 p.m.

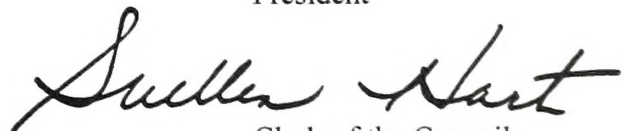
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 9th day of May, 1994.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Clerk of the Council

(SEAL)





**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, MAY 23, 1994**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:00 p.m. on Monday, May 23, 1994, with Councillor SerVaas presiding.

Councillor Short led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*28 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
*1 ABSENT: Rhodes*

[Clerk's Note: Councillor Rhodes arrived shortly thereafter.]

A quorum of twenty-eight members being present, the President called the meeting to order.

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor O'Dell announced that the fifth grade class from Sanders Elementary School met today with Supreme Court Justice Ruth Ginsberg. It was televised and will be shown all week on CSPAN.

Councillor Beadling commended the Indianapolis Police Department and the Sheriff's Department, and especially Sgt. Frank Evans, for the admirable job they did in the hostage situation at Denny's restaurant.



Councillor Curry introduced Louise Bogden, widow of Charles Bogden, who was known as "Mr. Wayne Township." Councillor Black recognized Harold Anderson, president of the Marion County Alliance of Neighborhood Associations (MCANA). Councillor Hinkle acknowledged the presence of his constituents in District 18 and the representatives from the LakeView Temple who are concerned with the off-track betting issue.

The President stated that he asked Jan Richart, Voter Registration, to comment on Councillor Williams' concerns that there was not proper information given to voters whose precincts have been changed.

Councillor Williams said that her concern is for the people who did not know where to go to vote during the last election. She asked how this could be remedied before the general election in November. Ms. Richart acknowledged that the Election Board erred in not publicizing that over 300 precincts had changed in Marion County. Voter Identification Cards were mailed to voters whose ward and precinct had changed. She also said that there were numerous errors made in Marion County because the federal census information is wrong. In some precincts the census information is off by almost two city blocks. This summer the Voter Registration Board will redraw every precinct in Marion County based on Department of Metropolitan Development maps and also on state highway maps.

Councillor Williams asked if the voters will receive some sort of mail that states that their precinct has changed. Ms. Richart said that a notice will be sent saying: "You might have a change in your precinct. Please call our office or call the Marion County Election Board if you have a question."

Councillor McClamroch asked Ms. Richart how many members are on the Voter Registration Board. Ms. Richart replied that there are two members on the board and both are appointed by the respective political county chairmen for two-year terms. Councillor McClamroch said that there is a republican and a democrat on the board. He asked Ms. Richart if there was unanimous consent by the board on the action that was taken concerning the mailing of the Voter Identification Cards. Ms. Richart responded in the affirmative. Councillor McClamroch asked why 300 precincts were changed this year. Mr. Richart answered that because of (1) a state law change mandating that no precinct in the state would have over 800 voters, and (2) an agreement that was reached in a federal law suit which required more precinct changes throughout the county.

Councillor Black said that his neighbors were placed in another precinct. He asked if the Voter Registration Board was going to make an effort to correct this. Ms. Richart replied that if the error was made based on the census information, there will be a correction made. If it is a precinct line change which was approved by the State Election Board, it will not be changed.

#### **OFFICIAL COMMUNICATIONS**

The President called for the reading of Official Communications. The Clerk read the following:

May 23, 1994

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, May 23, 1994, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Beurt SerVaas  
President, City-County Council

May 10, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, May 12, 1994, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 276, 280, 281 and 282, 1994, to be held on Monday, May 23, 1994, at 7:00 p.m., in the City-County Building.

Respectfully,  
s/Suellen Hart  
Clerk of the City-County Council

May 11, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 34, 1994 - appropriating \$137,209 for the Information Services Agency to consolidate City-County government data circuit management under its administration

FISCAL ORDINANCE NO. 35, 1994 - appropriating \$8,903 for the Superior Court, Civil Division, Room Courts in Marion County

GENERAL ORDINANCE NO. 62, 1994 - establishing the Parks Project Revenue Fund as a non-reverting operating fund

GENERAL ORDINANCE NO. 63, 1994 - amending the Revised Code concerning the Office of Youth and Family Services and the Department of Administration

GENERAL ORDINANCE NO. 64, 1994 - amending the Code to include parking restrictions for Race Day of the Brickyard 400 (District 8)

GENERAL ORDINANCE NO. 65, 1994 - amending the Code by authorizing a traffic signal at Zionsville Road and 74th Street (District 1)

GENERAL ORDINANCE NO. 66, 1994 - amending the Code by authorizing a multi-way stop at Lafayette Road and 86th Street (District 1)

GENERAL ORDINANCE NO. 67, 1994 - amending the Code by authorizing a multi-way stop at Evanston Avenue and 51st Street (District 6)

GENERAL ORDINANCE NO. 68, 1994 - amending the Code by authorizing a multi-way stop at Edgewood Avenue and Harding Street (District 25)



GENERAL ORDINANCE NO. 69, 1994 - amending the Code by authorizing a multi-way stop at Mills Road and Mooresville Road (District 19)

GENERAL ORDINANCE NO. 70, 1994 - amending the Code by authorizing a multi-way stop at California Street and Vermont Street (District 16)

GENERAL ORDINANCE NO. 71, 1994 - amending the Code by changing the speed limit for Westwood subdivision (District 18)

GENERAL ORDINANCE NO. 72, 1994 - amending the Code by changing the speed limit on a segment of Hanna Avenue (District 20)

GENERAL ORDINANCE NO. 73, 1994 - amending the Code by changing the speed limit on a segment of Harcourt Road (District 3)

GENERAL ORDINANCE NO. 74, 1994 - amending the Code by authorizing a one-way restriction for Woodland Drive from Ohio Street to Washington Street (District 15)

GENERAL ORDINANCE NO. 75, 1994 - amending the Code by authorizing a weight limit restriction on 79th Street from Zionsville Road to Moore Road (District 1)

SPECIAL ORDINANCE NO. 7, 1994 - authorizing the issuance and sale of bonds of the City for the purpose of procuring funds to pay for the construction, reconstruction and repair of certain park facilities and appropriating an amount not to exceed \$6,700,000

SPECIAL RESOLUTION NO. 35, 1994 - recognizing the 1994 Police and Fire Sports Festival in Indianapolis

SPECIAL RESOLUTION NO. 36, 1994 - recognizing Astronaut Dr. David A. Wolf

SPECIAL RESOLUTION NO. 37, 1994 - concerning the former Tennessee Street

SPECIAL RESOLUTION NO. 38, 1994 - authorizing the execution of an amendment to the City-County Building lease between the Building Authority, the City, and the County

Respectfully,  
s/Stephen Goldsmith, Mayor

### **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

### **APPROVAL OF JOURNALS**

President SerVaas called for additions or corrections to the Journal of May 9, 1994. There being no additions or corrections, the minutes were approved as distributed.

### **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 309, 1994. This proposal, sponsored by Councillors O'Dell and Ruhmkorff, remembers Jacob M. "Jake" Greene. Councillor O'Dell read the resolution and presented a copy of the document to his widow Gladys Greene, who expressed appreciation for the resolution. Councillor O'Dell moved, seconded by Councillor Hinkle, for adoption. Proposal No. 309, 1994 was adopted by unanimous voice vote.

Proposal No. 309, 1994 was retitled SPECIAL RESOLUTION NO. 39, 1994 and reads as follows:

May 23, 1994

CITY-COUNTY SPECIAL RESOLUTION NO. 39, 1994

A SPECIAL RESOLUTION remembering Jacob M. "Jake" Greene.

WHEREAS, Jacob M. "Jake" Greene (1908-1983) was a prominent Eastside resident who will long be remembered; and

WHEREAS, he had an active life and he loved people, he worked for 21 years for the New York Central Railroad, was a game warden, was Chief Bailiff for Judge Rabb, Chief Investigator for Prosecutor Tinder, Chief Jailer for Sheriffs Maganheimer and Petit; and

WHEREAS, Jake Greene was President of the Lowell Civic League, was active in the Warren Township PTA and served on the committee that chose future land sites for Warren Township Schools; and

WHEREAS, Mr. Greene was a 32nd Degree Mason, an honorary member of the Warren Township Fire Department, a Sagamore of the Wabash and Kentucky Colonel, a Republican precinct committeeman and ward chairman, President of the Warren Township Republican Club and served the community well as elected Justice of the Peace from 1956 to 1972; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council remembers the life and civic service of Jacob M. "Jake" Greene, and asks the Indianapolis Department of Parks and Recreation to officially name the park at 16th Street and Franklin Road the GREENE PARK in memory of this exemplary Eastside leader.

SECTION 2. Jake would smile and give his full approval that free birds can sing, that the loveliest flowers can bloom, and that children from his beloved Eastside can play upon this dedicated ground.

SECTION 3. The Council extends its best wishes to his wife of over 50 years Gladys, and to their surviving children Sheriff's Lt. Kenneth R. Greene, Rhonda Clark and Janice Durham.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 310, 1994. This proposal, sponsored by Councillors Beadling and Gilmer, marks the 50th Anniversary of the June 6, 1944 Normandy Invasion. Councillor Beadling asked World War II veterans Councillor SerVaas, George Lynch and Harley Chapman to join her at the podium. Councillors Beadling and Gilmer read the resolution and presented copies of the document to Commander of Naval Air Warfare Center, Dennis Mitchell, and Sgt. Major Miner Dean, 5th Ranger Battalion, who expressed appreciation for the resolution. Councillor Beadling moved, seconded by Councillor Gilmer, for adoption. Proposal No. 310, 1994 was adopted by unanimous voice vote.

Proposal No. 310, 1994 was retitled SPECIAL RESOLUTION NO. 40, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 40, 1994

A SPECIAL RESOLUTION marking the 50th Anniversary of the June 6, 1944, Normandy Invasion.

WHEREAS, on June 6, 1944, the largest seaborne invasion in history occurred when the United States, Great Britain, Canada and their allies stormed ashore at Normandy, France, to open the major Second Front in Western Europe against the Axis Powers; and

WHEREAS, the operation involved over 4,000 Navy vessels including three U.S. battleships, air cover totaling over 14,000 sorties, and mountains of supplies; and



WHEREAS, before daybreak the U.S. 82nd and 101st Airborne Divisions dropped inland, and at 6:30 a.m. the 1st, 4th and 29th Infantry Divisions and the 2nd Ranger Battalion were sent ashore in the first wave; and

WHEREAS, during the first 24 hours 1,465 Americans were killed and 3,184 wounded, but the following waves of reinforcements kept the momentum going, and by the end of the month a million Allied troops were on French soil; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council pauses to mark the 50th Anniversary of the June 6, 1944, D-Day Normandy Invasion which helped shorten the Second World War.

SECTION 2. Several young soldiers, sailors and airmen from Indianapolis and Marion County were involved in the many phases of that historic invasion.

SECTION 3. The Council commends the World War II National Commemorative Association and Fort Benjamin Harrison for organizing events which specifically focus upon the historic D-Day invasion and its far reaching effects, and calls upon all citizens to pause on Monday, June 6, 1994, to offer a moment of thanks to those heroes a half-century ago.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 322, 1994. This proposal, sponsored by Councillors Boyd, SerVaas and McClamroch, congratulates the Indiana Pacers. Councillor Boyd read the resolution and moved, seconded by Councillor Short, for adoption. Proposal No. 322, 1994 was adopted by unanimous voice vote.

Proposal No. 322, 1994 was retitled SPECIAL RESOLUTION NO. 41, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 41, 1994

A SPECIAL RESOLUTION congratulating the Indiana Pacers.

WHEREAS, the general spirit and a significant portion of the economic viability of a community is much determined by the spirit, determination and success of its sports teams; and

WHEREAS, the Indiana Pacers professional basketball team has already progressed further in the playoff series than any other Indianapolis team in the history of the NBA franchise; and

WHEREAS, the team members continue to present themselves as totally capable and worthy ambassadors for the city and state as they carry our good name into all places in the nation; now, therefore

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The citizens of Indianapolis, acting and speaking through their elected City-County Council, wish the Indiana Pacers well as they continue in the NBA playoff series.

SECTION 2. The Citizens and Council thank the Indiana Pacers for the job they have already done and for the added measure of pride they have brought to the City of Indianapolis and to the state.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

May 23, 1994

The President recognized Councillor Williams. Councillor Williams said that on Saturday, May 14, 1994, President Bill Clinton visited Indianapolis and King Park. She thanked all the City departments for their work, and especially the Department of Parks and Recreation, the Department of Public Works, and the Indianapolis Police Department. It was an incredible effort--and it was made perfect in part by excellent city employees.

PROPOSAL NO. 230, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 230, 1994 on May 11, 1994. The proposal appoints Lacy M. Johnson to the Juvenile Detention Center Advisory Board. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 230, 1994 was adopted by unanimous voice vote.

Proposal No. 230, 1994 was retitled COUNCIL RESOLUTION NO. 66, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 66, 1994

A COUNCIL RESOLUTION appointing Lacy M. Johnson to the Juvenile Detention Center Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Juvenile Detention Center Advisory Board, the Council appoints:

Lacy M. Johnson

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1996. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

PROPOSAL NO. 311, 1994. The proposal, sponsored by Councillor Hinkle, requests a moratorium on issuance of improvement location permits or zoning certifications for use of property for satellite wagering facilities. Councillor Hinkle said that this resolution was discussed at the May 12th Metropolitan Development Committee meeting. Councillor West said that by a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Hinkle, for adoption. Proposal No. 311, 1994 was adopted by a majority voice vote.

Proposal No. 311, 1994 was retitled COUNCIL RESOLUTION NO. 67, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 67, 1994

A COUNCIL RESOLUTION requesting a moratorium on issuance of improvement location permits or zoning certifications for use of property for satellite wagering facilities, licensed under IC 4-31-5.5.

WHEREAS, differences of opinion exist as to whether any current zoning classifications include satellite facilities under IC 4-31-5.5 (hereinafter satellite wagering facilities) as a permitted use, and

WHEREAS, the Metropolitan Development Commission approved Zoning Ordinance 94-AO-7 amending certain commercial zoning classifications to include satellite wagering facilities as permitted uses, and such proposal is pending before the City-County Council as Proposal No. 266, 1994; and

WHEREAS, the Council has until July 21, 1994, to act upon such proposed zoning changes; and



WHEREAS, substantial questions have been raised about the appropriate locations, if any, for satellite wagering facilities, now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council requests the Metropolitan Development Commission, the Boards of Zoning Appeals, and the Department of Metropolitan Development to establish a ninety (90) day moratorium on satellite wagering facilities and to refuse to take any action to grant or issue any rezoning petition, variance petition, improvement location permit or other certification or ruling that would allow the construction or operation of any satellite wagering facilities in Marion County.

SECTION 2. Within thirty (30) days of adoption of this resolution the Director of the Department of Metropolitan Development shall present to the full Council a comprehensive evaluation of the zoning considerations for satellite wagering facilities, and the Council shall act upon said evaluation no later than its August 8, 1994 meeting.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 299, 1994. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE abolishing the Marion County Board of Tax Adjustment"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 300, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$2,768,358 for the Office of Youth and Family Services and appropriating \$10,962,505 for the Department of Administration, Workforce Development Division, to finance their 1994 budgets"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 301, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$276,311 for the Office of the Controller, Revenue Enhancement Division, to finance its budget from July 1 through the end of the year and to purchase software and computer equipment"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 302, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$645,060 for the Department of Metropolitan Development, Planning Division, to fund federally-mandated transportation planning services, completion of neighborhood plans, implementation of economic development initiatives, and improvement of computer-aided systems and services"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 303, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$7,053,270 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to fund 1994 HOME and HOPE3 programs"; and the President referred it to the Metropolitan Development Committee.

May 23, 1994

PROPOSAL NO. 304, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$479,277 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to fund the Unsafe Building Program and a parking study for Broad Ripple Village"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 305, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$400 for the Superior Court, Title IV-D Court, to purchase an IRMA Board, and repealing Fiscal Ordinance No. 33, 1994"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 306, 1994. Introduced by Councillor Golc. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$2,821 for the Marion County Drug Court to purchase five computer terminals"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 307, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$37,595 for the Marion County Justice Agency to support the Indianapolis Challenge project, which involves coordinating comprehensive approaches to issues and problems concerning alcohol, tobacco and other drug abuse and the related violence in Marion County"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 308, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Carrollton Avenue and 50th Street and at Carrollton Avenue and 51st Street (District 21)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 312, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Richard Payne to the Audit Committee"; and the President referred it to the Administration and Finance Committee.

### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 298, 1994. Councillor Borst reported that the Economic Development Committee heard Proposal No. 298, 1994 on May 17, 1994. The proposal amends S.R. No. 78, 1993 by extending the expiration date on the Inducement Resolution through November 30, 1994 for Forest City Residential Development, Inc. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 298, 1994 was adopted on the following roll call vote; viz:

*23 YEAS: Beadling, Black, Borst, Brents, Coughenour, Curry, Dowden, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith, West, Williams*

*0 NAYS:*

*5 NOT VOTING: Boyd, Franklin, Gray, Rhodes, Short*

*1 NOT PRESENT: Moriarty Adams*



Proposal No. 298, 1994 was retitled SPECIAL RESOLUTION NO. 43, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 43, 1994

A SPECIAL RESOLUTION amending City-County Special Resolution No. 78, 1994 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by I.C. 36-7-11.9 and I.C. 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 78, 1994 (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by Forest City Residential Development, Inc. (the "Company") which Inducement Resolution set an expiration date of May 31, 1994 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the city, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of May 31, 1994, contained therein and replacing said date with the date of November 30, 1994.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 313-321, 1994. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on May 20, 1994."

Councillor Dowden made the following motion:

Mr. President:

I move that Proposal No. 313, 1994 (Rezoning Petition No. 94-Z-35, Amended) be scheduled for a hearing before this Council at its next regular meeting on June 13, 1994 at 7:00 p.m. and that the Clerk read the announcement of such hearing and enter same in the minutes of this meeting.

This motion passed by unanimous voice vote. Proposal No. 313, 1994 is identified as follows:

94-Z-35 (Amended) LAWRENCE TOWNSHIP. COUNCILMANIC DISTRICT # 4.  
8010 NORTH SHADELAND AVENUE (approximate address), INDIANAPOLIS.  
LOWE'S HOME CENTERS, INC., by Thomas Michael Quinn, requests the rezoning of 14.935 acres, being in the D-A District, to the C-S classification to provide for development of a hardware/home improvement store.

The Council did not schedule Proposal Nos. 314-321, 1994 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 314-321, 1994 were retitled REZONING ORDINANCE NOS. 60-67, 1994 and are identified as follows:

REZONING ORDINANCE NO. 60, 1994. 94-Z-51 DECATUR TOWNSHIP.  
COUNCILMANIC DISTRICT # 19.  
6010 WEST SOUTHPORT ROAD (approximate address), INDIANAPOLIS.  
CHARTER CORPORATION, by Donald M. Meyer, requests the rezoning of 80 acres, being in the D-A District, to the D-4 classification to provide for single-family residential subdivision development.

REZONING ORDINANCE NO. 61, 1994. 94-Z-27 DECATUR TOWNSHIP.  
COUNCILMANIC DISTRICT # 19.  
7720 REYNOLDS ROAD (approximate address), INDIANAPOLIS.  
GARY and PEGGY VAN BLARICUM, by William F. LeMond, request the rezoning of 2.037 acres, being in the D-A District, to the D-1 classification to provide for single-family residential use.

REZONING ORDINANCE NO. 62, 1994. 94-Z-47 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 22.  
1418-1420 EAST 10TH STREET (approximate address), INDIANAPOLIS.  
EASTSIDE COMMUNITY INVESTMENTS requests the rezoning of 0.09 acre, being in the C-2 District, to the D-8 classification to provide for residential use.

REZONING ORDINANCE NO. 63, 1994. 94-Z-53 WARREN TOWNSHIP.  
COUNCILMANIC DISTRICT # 13.  
131 SOUTH MITTHOEFFER (REAR) (approximate address), INDIANAPOLIS.  
MORNINGSTAR GOLF CLUB INC. requests the rezoning of 12 acres, being in the D-A District, to the SU-3 classification to provide for a golf practice range.

REZONING ORDINANCE NO. 64, 1994. 94-Z-66 PERRY TOWNSHIP.  
COUNCILMANIC DISTRICT # 20.  
7828 MADISON AVENUE (approximate address), INDIANAPOLIS.  
R.J. REALTY, INC., by Michael J. Kias, requests the rezoning of 2.5 acres, being in the D-A District, to the D-8 classification to provide for multi-family development.

REZONING ORDINANCE NO. 65, 1994. 94-Z-73 WARREN TOWNSHIP.  
COUNCILMANIC DISTRICT # 13.  
402 SOUTH MITTHOEFFER ROAD (approximate address), INDIANAPOLIS.  
PHILIP and CHARLOTTE KROENING, by Edward E. Brown, request the rezoning of 5.0 acres, being in the I-3-S District, to the C-1 classification to provide for a chiropractic/ medical office facility.

REZONING ORDINANCE NO. 66, 1994. 94-Z-75 PIKE TOWNSHIP.  
COUNCILMANIC DISTRICT # 1.  
4874 NORTH HIGH SCHOOL ROAD (approximate address), INDIANAPOLIS.  
DEPARTMENT OF METROPOLITAN DEVELOPMENT requests the rezoning of 18.01 acres, being in the D-4 District, to the D-2 classification to conform an existing single-family residential subdivision with the appropriate zoning designation.

REZONING ORDINANCE NO. 67, 1994. 94-Z-77 WARREN TOWNSHIP.  
COUNCILMANIC DISTRICT # 13.  
7759 EAST ENGLISH AVENUE (approximate address), INDIANAPOLIS.  
SUN SONG, by Michael D. Keele, requests the rezoning of 13.726 acres, being in the SU-1 District, to the SU-3 classification to provide for a golf driving range and accessory uses.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 200, 1994. Councillor O'Dell reported that the Community Affairs Committee heard Proposal No. 200, 1994 on May 18, 1994. The proposal appropriates \$3,850,509 for the Marion County Office of Family and Children to pay the expenses of wards in institutions. By a 4-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.



The President called for public testimony at 8:01 p.m. There being no one present to testify, Councillor O'Dell moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 200, 1994 was adopted on the following roll call vote; viz:

22 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Franklin, Giffin, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Ruhmkorff, SerVaas, Shambaugh, Short, West, Williams

4 NAYS: Curry, Dowden, Schneider, Smith

2 NOT VOTING: Golc, Rhodes

1 NOT PRESENT: Moriarty Adams

Proposal No. 200, 1994 was retitled FISCAL ORDINANCE NO. 36, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 36, 1994

A FISCAL ORDINANCE amending the Marion County Office of Family and Children Annual Budget for 1994 (City-County Fiscal Ordinance No. 71, 1993) appropriating an additional Three Million Eight Hundred Fifty Thousand Five Hundred Nine Dollars (\$3,850,509) in the Welfare General Fund for purposes of the Marion County Office of Family and Children and reducing the unappropriated and unencumbered balance in the Welfare General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the Marion County Office of Family and Children Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Marion County Office of Family and Children to pay the expenses of wards in institutions.

SECTION 2. The sum of Three Million Eight Hundred Fifty Thousand Five Hundred Nine Dollars (\$3,850,509) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY OFFICE OF FAMILY AND CHILDREN</u>	<u>WELFARE GENERAL FUND</u>
3. Other Services and Charges	<u>\$3,850,509</u>
TOTAL INCREASE	\$3,850,509

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>WELFARE GENERAL FUND</u>
Unappropriated and Unencumbered	
Welfare General Fund	<u>\$3,850,509</u>
TOTAL REDUCTION	\$3,850,509

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 276, 1994. The proposal appropriates \$318,100 for the County Coroner to cover the following costs through the end of the year: (1) salary of one full-time autopsy assistant, (2) contractual agreements for three pathologists, six investigative deputy coroners and one part-time autopsy assistant, and (3) tuition and instruction. Councillor Rhodes asked for consent to postpone Proposal No. 276, 1994 until June 13, 1994. Consent was given.

PROPOSAL NO. 280, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 280, 1994 on May 11, 1994. The proposal

May 23, 1994

appropriates \$73,650 for the Superior Court, Criminal Division, Probation Department, to utilize a federal grant to computerize the department. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:04 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 280, 1994 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

2 NOT VOTING: *Gilmer, Rhodes*

1 NOT PRESENT: *Moriarty Adams*

Proposal No. 280, 1994 was retitled FISCAL ORDINANCE NO. 37, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 37, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Seventy-three Thousand Six Hundred Fifty Dollars (\$73,650) in the State and Federal Grants Fund for purposes of the Superior Court, Criminal Division, Probation Department, and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (mm) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Criminal Division, Probation Department, to utilize a federal grant to computerize the department.

SECTION 2. The sum of Seventy-three Thousand Six Hundred Fifty Dollars (\$73,650) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

SUPERIOR COURT, CRIMINAL DIVISION

PROBATION DEPARTMENT

3. Other Services and Charges

4. Capital Outlay

TOTAL INCREASE

STATE AND FEDERAL GRANTS FUND

\$13,950

59,700

\$73,650

SECTION 4. The said additional appropriation is funded by the following reductions:

STATE AND FEDERAL GRANTS FUND

Unappropriated and Unencumbered

State and Federal Grants Fund

TOTAL REDUCTION

\$73,650

\$73,650

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 281, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 281, 1994 on May 11, 1994. The proposal appropriates \$24,550 for the Superior Court, Criminal Division, Probation Department, to provide the 25% matching funds necessary for the federal grant awarded to the department



to be used solely for computerization. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:05 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Franklin, for adoption. Proposal No. 281, 1994 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
0 NAYS:  
2 NOT VOTING: *Rhodes, Smith*  
1 NOT PRESENT: *Moriarty Adams*

Proposal No. 281, 1994 was retitled FISCAL ORDINANCE NO. 38, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 38, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Twenty-four Thousand Five Hundred Fifty Dollars (\$24,550) in the Supplemental Adult Probation Fees Fund for purposes of the Superior Court, Criminal Division, Probation Department, and reducing the unappropriated and unencumbered balance in the Supplemental Adult Probation Fees Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (mm) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Superior Court, Criminal Division, Probation Department, to provide the 25% matching funds necessary for the federal grant awarded to the department to be used solely for computerization.

SECTION 2. The sum of Twenty-four Thousand Five Hundred Fifty Dollars (\$24,550) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

SUPERIOR COURT, CRIMINAL DIVISION

PROBATION DEPARTMENT

3. Other Services and Charges

4. Capital Outlay

TOTAL INCREASE

SUPPLEMENTAL ADULT PROBATION FEES FUND

\$ 4,650

19,900

\$24,550

SECTION 4. The said additional appropriation is funded by the following reductions:

SUPPLEMENTAL ADULT PROBATION FEES FUND

Unappropriated and Unencumbered

Supplemental Adult Probation Fees Fund

TOTAL REDUCTION

\$24,550

\$24,550

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 282, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 282, 1994 on May 11, 1994. The proposal

appropriates \$114,000 for the County Auditor to cover costs associated with preparing the Marion County Hazardous Materials Response Plan and providing the community with the Right-to-Know information. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Schneider stated he will be voting against this proposal because it is a waste of funds since this same information can be obtained from various township fire departments.

The President called for public testimony at 8:16 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor West, for adoption.

The President stated that he believes that there is a great deal of uncertainty in the minds of the public as to what really constitutes hazardous material. More and more agencies and bureaucracies are becoming involved with this issue. He suggested that the Public Safety and Criminal Justice Committee simplify this issue for the public so they can understand what measures local government is doing to protect them concerning hazardous material.

Proposal No. 282, 1994 was adopted on the following roll call vote; viz:

*18 YEAS: Beadling, Borst, Boyd, Brents, Curry, Dowden, Franklin, Giffin, Golc, Gray, Hinkle, Jimison, Jones, Mullin, O'Dell, Ruhmkorff, West, Williams*

*8 NAYS: Black, Gilmer, McClamroch, Schneider, SerVaas, Shambaugh, Short, Smith*

*2 NOT VOTING: Coughenour, Rhodes*

*1 NOT PRESENT: Moriarty Adams*

Proposal No. 282, 1994 was retitled FISCAL ORDINANCE NO. 39, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 39, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional One Hundred Fourteen Thousand Dollars (\$114,000) in the Local Emergency Planning and Right to Know Fund for purposes of the County Auditor and reducing the unappropriated and unencumbered balance in the Local Emergency Planning and Right to Know Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Auditor to cover costs associated with preparing the Marion County Hazardous Materials Response Plan and providing the community with the Right-to-Know information.

SECTION 2. The sum of One Hundred Fourteen Thousand Dollars (\$114,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	LOCAL EMERGENCY PLANNING AND RIGHT TO KNOW FUND
3. Other Services and Charges	<u>\$114,000</u>
TOTAL INCREASE	\$114,000

SECTION 4. The said additional appropriation is funded by the following reductions:



LOCAL EMERGENCY PLANNING  
AND RIGHT TO KNOW FUND

Unappropriated and Unencumbered	
Local Emergency Planning and Right to Know Fund	<u>\$114,000</u>
TOTAL REDUCTION	\$114,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

[Clerk's Note: Councillor Rhodes arrived at this time, 8:15 p.m.]

PROPOSAL NO. 297, 1994. Councillor Borst reported that the Economic Development Committee heard Proposal No. 297, 1994 on May 17, 1994. The proposal approves the issuance of (i) City of Indianapolis, Indiana, Health Care Facilities Revenue Refunding Bonds (FHA Insured Mortgage--Regency Place of Castleton) Health Quest Realty XXI Issue Series 1994A in an amount not to exceed \$4,500,000, and (ii) City of Indianapolis, Indiana, Health Care Facilities Taxable Revenue Bonds (FHA Insured Mortgage--Regency Place of Castleton) Health Quest Realty XXI Issue Series 1994B in an amount not to exceed \$400,000 to finance a skilled nursing home facility located at 5226 East 82nd Street. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:17 p.m. There being no one present to testify, Councillor Borst moved, seconded by Councillor Mullin, for adoption. Proposal No. 297, 1994 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT PRESENT: *Moriarty Adams*

Proposal No. 297, 1994 was retitled SPECIAL ORDINANCE NO. 8, 1994 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 8, 1994

A SPECIAL ORDINANCE authorizing the issuance and sale of an aggregate principal amount not to exceed \$4,500,000 of City of Indianapolis, Indiana, Health Care Facilities Revenue Refunding Bonds (FHA Insured Mortgage Loan--Regency Place of Castleton), Health Quest Realty XXI Issue Series 1994A and an aggregate principal amount not to exceed \$400,000 of City of Indianapolis, Indiana, Health Care Facilities Taxable Revenue Bonds (FHA Insured Mortgage Loan--Regency Place of Castleton) Health Quest Realty XXI Issue Series 1994B; designating the bonds as limited obligations of the city; approving the form of, and authorizing the execution and delivery of, the trust indenture, the loan agreement, placement agreement and other documents related to the issuance and sale of the bonds; requesting authentication; appointing bond counsel; and authorizing proper officers to do all other things deemed necessary or advisable in connection herewith and approving and authorizing other actions in respect thereto.

WHEREAS, pursuant to Title 36, Article 7, Chapters 11.9 and 12 of the Indiana Code, as amended (the "Act"), the City of Indianapolis, Indiana (the "City") has heretofore issued \$4,780,000 principal amount of City of Indianapolis, Indiana Health Care Facilities Revenue Bonds Health Quest Realty XXI Issue (FHA Insured Mortgage), Series A (the "Prior Bonds") for the purpose of financing the costs of a project, consisting of the acquisition and improvement of certain premises in the City and construction thereon and equipment of a skilled care facility (the "Project"), owned by Health Quest Realty XXI, an Indiana limited partnership (the "Developer"); and

WHEREAS, the City loaned (the "Prior Loan") the proceeds of tile Prior Bonds to the Developer pursuant to a Financing Agreement dated as of September 1, 1984 (the "Financing Agreement") between the City and

the Developer, pursuant to which the Developer agreed to make payments to provide sufficient funds to pay the principal of and interest on the Prior Bonds; and

WHEREAS, the Prior Loan is evidenced by the Developer's note, as modified (the "Note") in the original principal amount of \$4,265,300, and a mortgage securing the Note constituting a first lien on the Project (the "Mortgage"); and

WHEREAS, the United States Secretary of Housing and Urban Development, acting through the Federal Housing Commissioner ("FHA"), has insured the advances of funds secured by the Mortgage, and the Note was initially endorsed for insurance by FHA pursuant to Section 232 of the National Housing Act, as amended, and the regulations thereunder; and

WHEREAS, the City, as requested by the Developer, has determined to issue, sell and deliver (i) City of Indianapolis, Indiana, Health Care Facilities Revenue Refunding Bonds (FHA Insured Mortgage Loan--Regency Place of Castleton) Health Quest Realty XXI Issue Series 1994A in an aggregate principal amount not to exceed \$4,500,000 (the "Series A Bonds") to make funds available for the refunding of the Prior Bonds and the refinancing of the Project, and (ii) City of Indianapolis, Indiana, Health Care Facilities Taxable Revenue Bonds (FHA Insured Mortgage Loan--Regency Place of Castleton) Health Quest Realty XXI Issue Series 1994B in an aggregate principal amount not to exceed \$400,000 (the "Series B Bonds"), both pursuant to the Act and Indiana Code Title 5, Article 1, Chapter 5 (the "Refunding Act"). The Series A Bonds and the Series B Bonds are collectively referred to herein as the "Bonds"; and

WHEREAS, the Prior Bonds will be called for redemption on August 1, 1994; and

WHEREAS, upon the redemption of the Prior Bonds, the Note and the Mortgage will be held by the Trustee as security for the Bonds and FHA will continue to insure the advances of funds secured by the Mortgage and the Note; and

WHEREAS, the City desires to sell the Bonds through a private placement thereof with certain investors, through Bank One, Columbus, N.A. (the "Placement Agent"); and

WHEREAS, the Indianapolis Economic Development Commission (the "Commission") has approved and submitted to this City-County Council of the City (the "City-County Council") proposed forms of:

- (i) the Trust Indenture dated as of June 1, 1994 (the "Indenture") between the City and PNC Bank, Ohio, National Association, as trustee (the "Trustee") pursuant to which the Bonds will be issued;
- (ii) a Preliminary Private Placement Memorandum (the "Preliminary Placement Memorandum") to be used by the Placement Agent in connection with the sale of the Bonds;
- (iii) a Bond Placement Agreement (the "Placement Agreement") between the City and the Placement Agent in connection with the sale of the Bonds;
- (iv) the Loan Agreement (the "Loan Agreement") dated as of June 1, 1994 between the City and the Developer; and
- (v) the proposed special ordinance (the "Special Ordinance") to be adopted by the City-County Council: now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. *Incorporation of Recitals.* The Recitals contained in this Special Ordinance are true and correct and are incorporated in this Special Ordinance by this reference.

SECTION 2. *Findings; Public Benefits.* The City-County Council of the City hereby finds and determines that the refunding of the Prior Bonds would be of benefit to the health and general welfare of the City and would comply with the Act and the Refunding Act.

SECTION 3. *Issuance of the Bonds.* The City-County Council hereby authorizes the issuance of an aggregate principal amount not to exceed \$4,500,000 of the Series A Bonds by the City, for the purpose of refunding the Prior Bonds issued by the City to acquire, improve, furnish or equip the Project and an aggregate principal amount not to exceed \$400,000 of the Series B Bonds for the purpose of depositing moneys into a Debt Service



Reserve Fund (as defined in the Indenture) and paying certain costs of issuance for the Bonds. The Bonds shall be dated June 1, 1994; shall be numbered as the Trustee shall determine; and shall be fully registered without coupons. The Bonds shall bear interest at a rate not to exceed 10.75% per annum and shall have maturities and redemptions as set forth in the Indenture approved by the Mayor of the City (the "Mayor") and the Clerk of the City (the "Clerk").

The principal of the Bonds shall be payable upon presentation thereof at the principal corporate trust office of the Trustee under the Indenture. The interest on the Bonds shall be paid by check or draft of the Trustee sent to the registered owners of the Bonds; provided, however, if requested in writing by an owner of the Bonds and if proper instructions are provided to the Trustee as required under the Indenture, the Trustee is hereby authorized to pay the interest on the Bonds by wire transfer to the owners thereof.

The Bonds shall be executed on behalf of the City by, and bear the manual or facsimile signature of, the Mayor and Clerk, and the seal of the City shall be thereunto affixed (or imprinted or engraved if in facsimile).

The Bonds shall be in the form set forth in the final form of the Indenture.

**SECTION 4. *Sale of Bonds.*** The City-County Council hereby authorizes the placement of the Bonds to the original purchasers thereof pursuant to the Indenture and the Placement Agreement.

**SECTION 5. *Limited Obligation.*** The bonds and the interest thereon do not and shall never constitute an indebtedness of, or a charge against the general credit or taxing power of, the city, but are limited obligations of the city payable solely from revenues and other amounts derived from the loan agreement.

**SECTION 6. *The Indenture.*** The Indenture is hereby approved in the form submitted to this meeting, and a copy of the Indenture shall be kept on file by the Clerk or the City Controller. The Mayor and the Clerk are hereby authorized and directed to execute and deliver the Indenture without further approval of the City-County Council in substantially the form herein approved with such additions, deletions and modifications thereto as may be approved under the Act, the execution of the Indenture being conclusive evidence of such approval and of the approval of the City-County Council; and the Clerk, or any authorized representative of the City, is hereby authorized and directed to affix the seal of the City to the Indenture and to attest the same.

**SECTION 7. *Trustee.*** PNC Bank, Ohio, National Association, is hereby appointed Trustee under the Indenture. The Indenture may provide that the Trustee thereunder, or another corporate entity, shall act as bond registrar and authenticating agent.

**SECTION 8. *Delivery of Bonds.*** After execution on behalf of the Mayor and the Clerk, the Bonds shall be delivered to the Trustee, which is hereby authorized and requested to authenticate and deliver the Bonds to the Placement Agent for the benefit of the original purchasers in accordance with and upon compliance with the provisions of the Indenture.

**SECTION 9. *Bond Counsel.*** Kutak Rock is hereby appointed Bond Counsel in connection with the issuance and sale of the Bonds.

**SECTION 10. *The Placement Agreement.*** The Placement Agreement is hereby approved in the form submitted to this meeting, and a copy of the Placement Agreement shall be kept on file by the Clerk or the City Controller. The Mayor and the Clerk are hereby authorized and directed to execute and deliver the Placement Agreement in substantially the form herein approved with such additions, deletions and modifications thereto as may be approved under the Act, the execution of the Placement Agreement being conclusive evidence of such approval and of the approval of the City-County Council.

**SECTION 11. *The Loan Agreement.*** The Loan Agreement is hereby approved in the form submitted to this meeting, a copy of which shall be kept on file by the Clerk or the City Controller. The Mayor and the Clerk are hereby authorized and directed to execute and deliver the Loan Agreement in substantially the form herein approved with such additions, deletions and modifications thereto as may be approved under the Act, the execution of the Loan Agreement being conclusive evidence of such approval and of the approval of the City-County Council.

**SECTION 12. *Preliminary Placement Memorandum.*** The use by the Placement Agent of the Preliminary Placement Memorandum in connection with the placement of the Bonds by the Placement Agent is hereby approved, and the City-County Council hereby authorizes the preparation and use of a final Placement Memorandum containing such additions, deletions and modifications to the Preliminary Placement

May 23, 1994

Memorandum as may be approved by the City as evidenced by the signature of the Mayor thereon. The Mayor is hereby authorized and directed to execute and deliver the final Placement Memorandum.

SECTION 13. *Blue Sky Survey.* The Mayor and the Clerk are hereby authorized in the name and on behalf of the City to take any and all action which the Placement Agent shall request and which the Mayor and the Clerk may deem necessary or advisable with the advice of counsel for the City in order to effect the registration or qualification (or exemption therefrom) of the Bonds for issue, offer, sale or trade under the Blue Sky or securities laws of any of the states of the United States of America and in connection therewith, to execute, acknowledge, verify, deliver, file or cause to be published any applications, reports, consents to service of process and other papers and instruments which may be required under such laws, and to take any and all further action which he may deem necessary or advisable in order to maintain any such registration or qualification for as long as the Mayor and the Clerk deem necessary or as required by law or by the Placement Agent, provided, however, the Mayor and the Clerk need not consent to service of process in any jurisdiction other than the State of Indiana.

SECTION 14. *Other Action.* The Mayor and the Clerk are hereby authorized and directed to execute and deliver, in the name and on behalf of the City, any and all additional documents and instruments necessary or proper to do and cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated by this Special Ordinance (including the preambles hereto and the documents mentioned herein) and the issuance and sale of the Bonds and securing of the Bonds. The Mayor and City Clerk may, by their execution of the documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 15. *No Personal Liability.* No stipulation, obligation or agreement herein contained or contained in the Indenture, the Placement Agreement, the Loan Agreement, the Bonds or in any other agreement or document executed on behalf of the City shall be deemed to be a stipulation, obligation or agreement of any member of the City-County Council, officer, agent or employee of the City in his individual capacity, and no such member of the City-County Council, officer, agent or employee shall be personally liable on the Bonds or be subject to personal liability or accountability by reason of the issuance thereof.

SECTION 16. *Action Approved and Confirmed.* All acts and doings of the officers of the City which are in conformity with the purposes and intent of this Special Ordinance and in the furtherance of the issuance of the Bonds and the execution, delivery and performance of the documents and agreements authorized hereby are in all respects approved and confirmed.

SECTION 17. *Severability.* If any provision of this Special Ordinance shall be held or deemed to be illegal, inoperative or unenforceable, the same shall not affect any other provision or cause any other provisions to be invalid, inoperative or unenforceable to any extent whatsoever.

SECTION 18. *Repealer.* Except as provided in Section 20 hereof, any ordinances; resolutions or orders or parts thereof in conflict with this Special Ordinance are to the extent of such conflict hereby repealed.

SECTION 19. *Inspection Copies.* Two copies of the Indenture, Loan Agreement, Placement Agreement and Preliminary Placement Memorandum incorporated into this Special Ordinance were duly filed in the Office of the Clerk of the City and are available for public inspection in accordance with Section 36-1-5-4 of the Indiana Code.

SECTION 20. *Effective Date.* This Special Ordinance shall be in full force and effect from and after its passage and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14, provided, the provisions of the special ordinance pursuant to which the Prior Bonds were issued shall remain in effect and shall supersede the provisions of this Special Ordinance in the event of any conflict with this Special Ordinance until such time as the Bonds are issued.

## **SPECIAL ORDERS - UNFINISHED BUSINESS**

The President ruled that Proposal Nos. 548, 1993; 107 and 108, 1994 will be heard with Proposal Nos. 109, 110 and 111, 1994 under Section XIII, Special Service District Councils.



## **SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 72, 1994. Councillor Borst reported that the Economic Development Committee heard Proposal No. 72, 1994 on March 31, April 21 and May 17, 1994. The proposal amends the Revised Code by making certain changes in the regulation of limousines and taxicabs. Councillor Borst said that the two most controversial issues concerning this ordinance are: (1) it removes the cap on the number of licenses available, and (2) it still contains a maximum fare. Studies show that cities that have eliminated price controls when they deregulated their taxi industry were the ones that failed in their deregulation attempts. The proposal allows for jitneys, the hailing of cabs and a downtown circulatory system. By a 5-2 vote on May 17, 1994, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Borst moved, seconded by Councillor Williams, for adoption.

Councillor Coughenour commended the Committee on its work, but believes there are some changes that need to be made. Concerning the circulatory downtown, it has not been determined how it is going to be applied, how it is going to be identified, and who can do it. She said that she is also waiting for answers from cities that she contacted where they have deregulated and where it has not worked. She moved to postpone Proposal No. 72, 1994 until June 13, 1994. Councillor Gilmer seconded the motion.

Councillor Ruhmkorff stated that she voted against this proposal in committee because (1) if this ordinance passes, there will be more taxis which will create a need for more inspectors, and this will be another expense for the taxpayers; and (2) jitneys should not be included in this proposal.

Councillor McClamroch stated that he does not support postponing this proposal because it was introduced in February and has been through three committee hearings. It is time to make a decision on this ordinance, and he urged the Councillors to defeat the motion to postpone.

Councillors Short and Franklin agreed with Councillor McClamroch that this proposal should not be postponed and that it has been discussed at great length.

Councillor Beadling stated that she would like the proposal to be returned to committee, not postponed. She would rather discuss any changes in Committee before it came back to the Council.

Councillor Coughenour's motion to postpone failed by the following roll call vote; viz:

*9 YEAS: Beadling, Boyd, Coughenour, Golc, Jimison, O'Dell, Rhodes, Ruhmkorff, Smith*  
*18 NAYS: Black, Borst, Brents, Curry, Dowden, Franklin, Giffin, Gray, Hinkle, Jones,*  
*McClamroch, Mullin, Schneider, SerVaas, Shambaugh, Short, West, Williams*  
*1 NOT VOTING: Gilmer*  
*1 NOT PRESENT: Moriarty Adams*

Councillor Smith said that he distributed to everyone the following amendment:

Mr. President:

I move to amend Proposal No. 72, 1994, Committee Report Version, by deleting Sec. 996-87, Sec. 996-88, and Sec. 996-89.

Councillor Smith said that Secs. 996-87, 996-88 and 996-89 deal with fares and he believes that it is outside of the Council's purview to set fares. Councillor Rhodes seconded this motion.

Councillor McClamroch stated this proposal is intended to remove impediments for entry into the market place. Councillor Smith's amendment is intended to remove the ceiling on maximum fares in Indianapolis. Councillor McClamroch said that he believes Councillor Smith's amendment is an attempt to defeat this ordinance. On one hand the opponents say that deregulation has not worked, and on the other hand they want to create a condition by this amendment to insure that it does not work. This specific amendment was considered in Committee and was defeated because it has been proved that it does not work where it has been tried. He urged the Councillors to defeat Councillor Smith's motion to amend.

Councillor Rhodes stated he is in favor of Councillor Smith's amendment. He said that part of the reason he introduced this proposal was so that he could call two or three cab companies and get a quote on how much they would charge for a specific trip. He said he favors complete deregulation. He asked for the Council's support on Councillor Smith's amendment.

Councillor Coughenour said that she opposes Councillor Smith's amendment because (1) when complete deregulation has been tried in other cities it has not worked, (2) she does not have time to sit at the phone and compare charges, and (3) she feels a cap is necessary to protect the public and especially those who might not have the advantage to be able to sit down and compare prices.

Councillor Williams stated that in her view there are two populations that generally rely on cabs: visitors to the community and those on fixed and usually very low incomes. She said she will vote against Councillor Smith's amendment.

Councillor Hinkle asked William Styring, Chairman of the Business Development Committee, Regulatory Study Commission (RSC), if he agrees that the Council should deregulate fares.

Mr. Styring stated that based upon a couple of years of study of this issue this amendment would not be wise at this point. In a year or two, if Proposal 72 works out, this amendment might be justified. He said his reasons are based upon RSC's analysis of those cities who have gone from a very highly regulated and controlled taxi/ground transportation environment into free pricing immediately, and it was found that complete deregulation has not worked. It takes a while for consumers to become used to a new environment. There is a great deal of deregulation in this proposal. Councillor Smith's amendment is a little too much right now.

Councillor Borst stated that he had a compromise. Sec. 996-87 sets the fares for 1994 which would be from July 1 through December 31, Sec. 996-88 sets the 1995 maximum fares, and Sec. 996-89 sets the maximum taxicab fares from 1996 on. If the 1994 fares were deleted from Councillor Smith's amendment that would give the Council a chance to see what the



market will do. At the end of the year the other two sections could be deleted if it was warranted. Councillor Borst moved to amend Councillor Smith's amendment by deleting Sec. 996-87 from his amendment. Councillor Giffin seconded this motion.

Councillor Gilmer said that he favors complete deregulation and supports Councillor Smith's amendment.

Councillor West stated that Councillor Borst's amendment proposes greater competition in the early years. Mr. Styring indicated that it would be preferable if there is going to be greater competition to have it later. Concerning changes in the taxi supply and the deregulation of fares at the same time, Price Waterhouse states in a 1983 report that when that happens in the short term:

"Prices rose in every instance. Paradoxically, the influx of new entrants did not invoke the price competition typically experienced in other newly-deregulated industries. Prices rose an average of 29% in the year following deregulation. There appear to be two sources of this unexpected event. First, fare increases prior to deregulation had consistently lagged cost increases. Veteran operators thus corrected prices at the first opportunity. Second, new entrants generally charged higher fares than the veteran operators. The cabstand markets on which these operators focused their services are generally price insensitive and, because of the first-in first-out nature of taxi queues, comparison shopping is discouraged. For these reasons the new entries had no incentives to introduce price competition."

Councillor West suggested that Councillor Borst's amendment should be defeated.

Councillor Schneider urged the Council to defeat Councillor Borst's amendment because there would only be a period of five months to see if it is going to work and that is not enough time.

Councillor Curry stated that it seems to him that neither Councillor Borst's amendment nor Councillor Smith's amendment does anything about the basic questions which is service for the handicapped, service in various areas, whether it is high-risk or not, and the provision for cabstands. He believes both of these amendments should be defeated.

The President passed the gavel to Councillor McClamroch.

The President stated that usually a process is changed one step at a time. When everything is changed at the same time with various levels of understanding, a great deal of confusion and loss of control takes place. If Section 996-87 could be left as it is that would give this body six months and the administration six months to see if these changes have been accepted. At the end of six months a decision could be made concerning Secs. 996-88 and 996-89.

Councillor McClamroch returned the gavel to the President.

Councillor Borst's amendment failed by a majority voice vote.

Councillor Smith's amendment failed by a majority voice vote.

Councillor McClamroch moved to retain the maximum fare for two years and then after two years eliminate the maximum ceiling on fares. There was no second to Councillor McClamroch's motion, and he withdrew his motion.

Councillor West moved the previous question. Councillor Short seconded the motion. This motion passed by unanimous voice vote.

Proposal No. 72, 1994, as amended, was adopted on the following roll call vote; viz:

*21 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, Schneider, SerVaas, Shambaugh, Short, West, Williams*

*7 NAYS: Beadling, Gilmer, Golc, O'Dell, Rhodes, Ruhmkorff, Smith*

*1 NOT PRESENT: Moriarty Adams*

Councillor O'Dell asked for consent to explain his vote. Consent was given. He said he believes (1) that the liability limits should be reduced from \$300,000 to \$100,000, and (2) the control of the cab policy at the airport should be with the Council, not with the Indianapolis Airport Authority.

Councillor Coughenour said that the liability is not being reduced from \$300,000 to \$100,000. The original version of Proposal No. 72, 1994 raised the liability to \$300,000, but it was amended in Committee to \$100,000. It has been \$100,000 for years.

Councillor Borst thanked the Committee, the taxi industry and everyone who participated in this ordinance. Before the end of the year the Controller's Office will submit a progress report on this issue.

Proposal No. 72, 1994, as amended, was retitled GENERAL ORDINANCE NO. 76, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 76, 1994

A PROPOSAL FOR A GENERAL ORDINANCE adding Chapter 996 to the Revised Code of the Consolidated City and County and making certain changes in the regulation of limousines and taxicabs.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Title IV of the Revised Code of the Consolidated City and County is hereby amended by adding a new chapter 996 to read as follows:

CHAPTER 996: PUBLIC VEHICLES FOR HIRE  
ARTICLE I. PURPOSE AND AUTHORIZATION

Sec. 996-1. Purpose.

This article is adopted for the purpose of preventing the unsafe operation of public vehicles for hire and for the purpose of preventing unconscionable pricing and customer service practices in the operation of public vehicles for hire.

Sec. 996-2. Authorization.

This article is authorized by IC 36-9-2-4 and other provisions of the Indiana Code.

Sec. 996-3. Additional public vehicle services.

For the purpose of encouraging innovative services by public vehicles for hire in the city of Indianapolis, any type of public vehicle service not expressly prohibited by this article is hereby authorized. The express definition, recognition or approval by this article of particular public vehicle services shall not be construed to prohibit any other public vehicle service not so expressly defined, recognized or approved.



ARTICLE II. DEFINITIONS

Sec. 996-11. Public vehicle for hire.

(a) As used in this article, and except as provided in subsection (c) of this section, *public vehicle for hire* means a motor vehicle that:

- (1) is a passenger vehicle;
- (2) is designed and constructed to accommodate and transport not more than fifteen (15) passengers, including the driver; and
- (3) is used or offered for use to transport a passenger for a fare.

(b) As used in this article *public vehicle for hire* includes, but is not limited to:

- (1) Vans;
- (2) Mini-vans;
- (3) Station wagons;
- (4) Buses;
- (5) Jitneys; and
- (6) Wheelchair cabs;

provided that such motor vehicles meet the requirements of subsection (a) of this section.

(c) As used in this article *public vehicle for hire* does not include:

- (1) School buses;
- (2) Vehicles used or operated under the control of the United States, the state of Indiana or any political subdivision of the state of Indiana;
- (3) Vehicles used for ride-sharing programs on a non-profit basis;
- (4) Vehicles used for commuter services operated by an employer for the exclusive use of its employees;
- (5) Vehicles certified as ambulances under IC 16-31;
- (6) Vehicles used exclusively to provide regular route intercity passenger service on regular routes originating or terminating outside Marion County, including such vehicles which make one or more incidental stops along said routes within Marion County;
- (7) Vehicles licensed by the State of Indiana to transport as commercial vehicles for hire, used exclusively to fulfill the terms of a contract van/route operating agreement with the Indianapolis Airport Authority;
- (8) Vehicles without a taxi meter that are used exclusively to provide transportation for persons with a mental or physical disability or illness, older adults, or persons who require non-emergency medical treatment and that are operating under a certificate or permit of public convenience and necessity issued by the Indiana Department of State Revenue;
- (9) Vehicles used exclusively to solicit and transport passengers on trips originating outside Marion County;
- (10) Vehicles which are the subject of cost sharing arrangements between passengers and drivers, which arrangements are not designed to generate a profit; and

(11) Vehicles excluded from the City's regulatory authority by state law.

Sec. 996-12. Limousine.

As used in this article *limousine* means a public vehicle for hire which has not been licensed as a taxicab.

Sec. 996-13. Taxicab.

As used in this article *taxicab* means a public vehicle for hire which transports passengers for a fare, which fare is determined, in whole or in part, by a measurement, to be made during the trip, of the distance over which the passenger is transported.

Sec. 996-14. Jitney.

(a) As used in this article *jitney* means a public vehicle for hire which transports passengers for a flat fare displayed on the exterior of the jitney in a format prescribed by the controller, designed to be readable by potential customers. This provision shall not be construed to prohibit jitney fares lower than the fares so displayed.

(b) As used in this article *jitney* includes, but is not limited to, public vehicles for hire which:

- (1) have a published schedule;
- (2) have an origin and destination, and defined times of departure and arrival; and
- (3) operate within a defined corridor between the origin and destination.

Sec. 996-15. Wheelchair cab.

As used in this article *wheelchair cab* means a van-type taxicab that is capable of transporting people who use wheelchairs.

Sec. 996-16. Owner.

As used in this article *owner* means the person whose residence determines the county in which a vehicle must be registered pursuant to IC 9-18-2-15.

Sec. 996-17. Person.

As used in this article *person* means natural person, corporation, partnership, limited partnership, association or any other entity with the power to sue and be sued.

Sec. 996-18. Central office.

As used in this article *central office* means the physical location, having a street address, from which a public vehicle for hire operates, at which street address an applicant or licensee will receive all mail sent by the United States postal service.

Sec. 996-19. Violation of law.

As used in this article *violation of law* means commission of a felony, misdemeanor, infraction or ordinance violation, without regard to whether the violation is characterized as criminal or civil in nature.

### ARTICLE III. OPERATOR LICENSES

Sec. 996-21. Operator licensure.

No person shall transport or offer to transport a passenger for a fare in any public vehicle for hire without a license to operate a public vehicle for hire.

Sec. 996-22. Eligibility.

To be eligible for a license to operate a public vehicle for hire, a person:



- (1) must possess a public passenger chauffeur or commercial driver's license issued by the state of Indiana;
- (2) must not have been convicted of a felony within the period of five (5) years immediately preceding the date of the filing of the application; and
- (3) either:
  - a. must not have been convicted at any time of:
    1. a felony or misdemeanor that involved violence towards another person;
    2. drunk or drugged driving;
    3. being an habitual traffic offender; or
    4. being an habitual substance offender; or
  - b. must have had a valid city of Indianapolis taxicab operator's license on the effective date of this section.

Sec. 996-23. Application.

Each applicant for a license to operate a public vehicle for hire shall provide to the controller the following information concerning the applicant, on an application form provided by the controller, signed and sworn to by the applicant:

- (1) full name;
- (2) residence;
- (3) office address;
- (4) place of residence for the five (5) years immediately preceding the date of the filing of the application;
- (5) age, race, sex, height, weight, and color of eyes and hair;
- (6) place of birth;
- (7) length of residence in the city of Indianapolis;
- (8) last previous employment;
- (9) whether the applicant is a citizen of the United States;
- (10) the date of judgment, court and description of each conviction for a violation of law by the applicant;
- (11) the date of filing, court and description of each charge pending against the applicant alleging a violation of law;
- (12) all governmental entities from which the applicant has been previously licensed to operate any type of public vehicle for hire, and each date and cause for which any such license was ever revoked or suspended; and
- (13) such additional information as the controller deems necessary.

Sec. 996-24. Attachments to the application.

Each application shall be accompanied by:

- (1) two (2) recent photographs of the applicant in a format prescribed by the controller, designed to be easily attachable to the license;

- (2) a complete set of the applicant's fingerprints in a format prescribed by the controller;
- (3) a copy of the applicant's Indiana driving record certified within ten (10) days prior to submission of the application; and
- (4) such additional items as the controller deems necessary.

Sec. 996-25. Fee.

The bi-annual fee for a license to operate a public vehicle for hire shall be eighteen dollars (\$18.00).

Sec. 996-26. Investigation of applicant.

The controller shall investigate an applicant for a license to operate a public vehicle for hire. The investigation shall include:

- (1) submission of the photographs and fingerprints of the applicant to the Indianapolis Police Department, which shall report to the controller as to whether the applicant has any criminal record, and the details of that criminal record;
- (2) investigation of the facts giving rise to any violation of law and any charges alleging a violation of law pending against the applicant; and
- (3) such additional investigation as the controller deems necessary.

Sec. 996-27. Examination of applicant.

Each applicant for a license to operate a public vehicle for hire may be examined by the controller if determined by the controller to be necessary to guarantee quality service to customers, as to:

- (1) the applicant's qualifications;
- (2) the applicant's knowledge of the provisions of this article and such other ordinances, statutes and regulations as the controller deems relevant;
- (3) the applicant's knowledge of the geography of Marion County and the surrounding counties;
- (4) the applicant's ability to communicate in English with customers; and
- (5) the applicant's skill in operating a motor vehicle (including a driving test accompanied by an inspector in such circumstances as the controller determines to be necessary to protect the public).

Sec. 996-28. Pending charges of violation of law.

If charges are pending in any court charging the applicant with a violation of law, the controller shall suspend processing of the application until those charges are resolved, unless the applicant requests the controller to proceed with the processing of the application. In the event that an applicant requests the controller to proceed, the controller shall conduct a hearing to determine whether the applicant committed the alleged violation of law and whether that violation of law disqualifies the applicant from receiving a license. Evidence may be submitted telephonically or by any other reasonable electronic means from remote locations. The applicant must appear at the hearing, testify, and otherwise fully cooperate with the controller's investigation. In the event that the application is denied, the applicant shall reimburse the controller for any expenses incurred as a result of the request for a hearing.

Sec. 996-29. Issuance of license.

Upon completion of the investigation and any examination of the applicant, and a determination by the controller that the applicant is eligible for a license to operate a public vehicle for hire, the controller shall issue to the applicant a license to operate a public vehicle for hire, in a format prescribed by the controller, which license shall contain the photograph and signature of the licensee, the date of issuance and expiration of the license, and such additional information as the controller deems necessary.



Sec. 996-30. License period.

A license to operate a public vehicle for hire shall be valid until the renewal date for that license occurring more than one year, but not more than two years, after the date of issuance.

Sec. 996-31. Renewal date.

The bi-annual renewal date for a license to operate a public vehicle for hire shall be the last day of the month of the birthday of the licensee.

Sec. 996-32. Renewal.

The bi-annual renewal of a license to operate a public vehicle for hire shall be granted upon the same terms and conditions as the original license. Pending action by the controller on the application for renewal, the applicant shall be permitted to operate a public vehicle for hire under the license issued for the previous licensing period, unless the controller enters an order to the contrary.

ARTICLE IV. GENERAL LICENSURE REQUIREMENTS FOR PUBLIC VEHICLES FOR HIRE

Sec. 996-41. Separate license.

A separate license shall be required for each public vehicle for hire. Each public vehicle for hire shall have one license: either a limousine license or a taxicab license. In order to be licensed, every limousine and every taxicab must satisfy both:

- (1) the general licensure requirements for public vehicles for hire; and
- (2) the additional specific requirements imposed by the article for either limousine licenses or taxicab licenses, whichever is applicable.

Sec. 996-42. Eligibility.

To be eligible for licensure as a public vehicle for hire, a motor vehicle must:

- (1) be a passenger vehicle;
- (2) be designed and constructed to accommodate and transport not more than fifteen (15) passengers, including the driver;
- (3) have a tax situs in Marion County;
- (4) have Marion County license plates; and
- (5) be owned by an applicant eligible to apply for a public vehicle for hire license.

Sec. 996-43. Applicant.

To be eligible to apply for a public vehicle for hire license, a person:

- (1) must be the owner of that vehicle;
- (2) must have a central office located in Marion County; and
- (3) must not have been convicted of a felony within the period of five (5) years immediately preceding the date of the filing of the application.

Sec. 996-44. Application.

(a) Each applicant for a license for a public vehicle for hire shall provide to the controller the following information concerning the applicant and the vehicle, on an application form provided by the controller, signed and sworn to by the applicant (or, if the applicant is not an individual, signed and sworn to by one of the individuals about whom information is required by this section):

- (1) the vehicle's seating capacity, name of manufacturer, model year, horsepower, vehicle identification number, certificate of title number, color and state license number;
- (2) the logo (if any) and color scheme which will be used on the vehicle;
- (3) the applicant's full name;
- (4) the applicant's central office address;
- (5) the names of all persons other than the applicant who have a financial interest in the vehicle;
- (6) all governmental entities from which the applicant has previously obtained a license for any public vehicle for hire, and each date and cause for which any such license was ever revoked or suspended; and
- (7) such additional information as the controller deems necessary.

(b) As used in this section *financial interest* in a motor vehicle means any portion of any of the legal rights of ownership or any such financial interest in any partnership, corporation or other legal entity having any such financial interest in a motor vehicle. As used in this section, *financial interest* in a motor vehicle includes, but is not limited to, that interest held by stockholders and officers of corporations or similar business entities having a financial interest in a motor vehicle.

Sec. 996-45. Attachments to the application.

Each application shall be accompanied by:

- (1) a public liability insurance policy or certificate of self-insurance for the vehicle;
- (2) a certificate of existence from the Indiana secretary of state, if the applicant is a corporation; and
- (3) such additional items as the controller deems necessary.

Sec. 996-46. Public liability insurance.

(a) All vehicles licensed under this article must be covered by a public liability insurance policy which will indemnify anyone injured by anyone operating the vehicle. The public liability insurance shall be in an amount not less than one hundred thousand dollars (\$100,000.00) combined limit coverage for personal injury and property damage. The policy shall contain the same substantive provisions as required of common carriers under the forms prescribed by the federal highway administration at 49 C.F.R. §387.39. The policy shall remain in effect continuously until terminated. The policy shall provide that cancellation may be effected only by the insurer providing forty-five (45) days' prior written notice to the controller; provided, in the event of cancellation for nonpayment of premium, the cancellation may be effective on 10 days' prior written notice, said 10 days being measured from the controller's receipt of the notice.

(b) The insurance requirements of this section may be satisfied by a certificate of self-insurance, in an equivalent amount, issued by the bureau of motor vehicles of the state of Indiana.

Sec. 996-47. Fees.

The annual fee for each public vehicle for hire license shall be one hundred dollars (\$100.00).

Sec. 996-48. Investigation of applicant.

The controller shall investigate an applicant for a public vehicle for hire license. The investigation shall include:

- (1) investigation of the facts giving rise to any violation of law and any charges alleging a violation of law pending against the applicant or any person having a financial interest in the vehicle; and
- (2) such additional investigation as the controller deems necessary.



Sec. 996-49. Pre-licensure inspection of vehicle.

The controller shall inspect the vehicle for compliance with the motor vehicle equipment requirements of IC 9-19.

Sec. 996-50. License period.

A license for a public vehicle for hire shall be valid until the next renewal date for that license.

Sec. 996-51. Renewal date.

The renewal date for a license for a public vehicle for hire shall be the last day of June of each year.

Sec. 996-52. Renewal.

The renewal of a license for a public vehicle for hire shall be granted upon the same terms and conditions as the original license. Pending action by the controller on the application for renewal, the applicant shall be permitted to operate a public vehicle for hire under the license issued for the previous year, unless the controller enters an order to the contrary.

Sec. 996-53. Post-Licensure inspection of vehicle.

At least two (2) and not more than five (5) times each year, on a schedule or at such unannounced times as determined by the controller, the controller shall inspect each licensed public vehicle for hire for compliance with the motor vehicle equipment requirements of IC 9-19.

Sec. 996-54. Removal from service.

If a licensed public vehicle for hire is inspected pursuant to Sec. 996-53 and found not to comply with the motor vehicle requirements of IC 9-19, any monthly limousine or taxicab certificate shall be immediately removed from the vehicle and cancelled. The controller shall thereafter reinspect the vehicle upon the request of the licensee.

ARTICLE V. LIMOUSINE LICENSES

Sec. 996-61. Limousine licensure and certification.

No person shall transport or offer to transport a passenger for a fare in any public vehicle for hire which is not licensed as a public vehicle for hire, or which does not have a current monthly limousine or taxicab certificate.

Sec. 996-62. Eligibility.

To be eligible for a limousine license, a public vehicle for hire must:

- (a) meet the general licensure requirements for public vehicles for hire; and
- (b) be either:
  - (1) of the current or past ten (10) model years; or
  - (2) a luxury vehicle (including a classic car as defined by the Classic Car Club of America, a Rolls Royce, or an elongated Cadillac, Chrysler or Lincoln or a similar vehicle) determined by the Controller to be marketable primarily for the experience of the ride, rather than for the mere ability of the vehicle to transport passengers from one geographic point to another.

Sec. 996-63. Issuance of license.

Upon the completion of the investigation of the applicant and inspection of the vehicle, and a determination by the controller that the vehicle is eligible for licensure as a limousine, the controller shall issue to the applicant a limousine license, in a format prescribed by the controller, which license shall contain a description of the

vehicle, the signature of the licensee, the date of issuance and expiration of the license, and such additional information as the controller deems necessary.

Sec. 996-64. Monthly limousine certificate.

Each calendar month the controller shall issue a limousine certificate to the owner for each licensed limousine so long as said vehicle remains eligible for licensure. The certificate shall expire on the fifth day of the following month, unless sooner cancelled by the controller. The certificate shall be placed on the licensed vehicle at a location specified by the controller. The certificate shall have a format and color prescribed by the controller, and shall contain the name of the licensee, the city license number of the limousine, the signature of the controller, and such additional information as the controller deems necessary.

ARTICLE VI. TAXICAB LICENSES

Sec. 996-71. Taxicab licensure and certification.

No person shall transport or offer to transport a passenger for a fare, which fare is determined, in whole or in part, by measurement, made during the trip, of the distance over which the passenger is transported, in any public vehicle for hire which is not licensed as a taxicab, or which does not have a current monthly taxicab certificate.

Sec. 996-72. Eligibility.

To be eligible for a taxicab license, a public vehicle for hire must:

- (1) meet the general licensure requirements for public vehicles for hire;
- (2) be of the current or past six (6) model years;
- (3) be equipped with a certified taximeter;
- (4) have a permanently affixed toplight clearly identifying the vehicle as a taxicab;
- (5) have a color scheme which is either:
  - a. not similar to that in use by any taxicab licensed to another licensee; or
  - b. similar to that of a taxicab licensed to a licensee who has consented to such use of the color scheme; and
- (6) have affixed to both sides and the rear of the vehicle the controller's license number for the taxicab in a format prescribed by the controller, designed to be readable by potential customers.

Sec. 996-73. Pre-licensure inspection of taximeter.

The controller, with the assistance of the inspector of weights and measures, shall inspect the taximeter of each vehicle to be licensed as a taxicab to establish whether the taximeter is operating properly.

Sec. 996-74. Post-licensure inspection of taximeters.

At least two (2) and not more than five (5) times each year, on a schedule or at such unannounced times as determined by the controller, the controller, with the assistance of the Inspector of Weights and Measures, shall inspect the taximeter of each licensed taxicab to establish whether the taximeter is operating properly.

Sec. 996-75. Taximeter certification.

If a taximeter is inspected pursuant to this article and found to be operating properly, the inspector shall attach to the taximeter a seal in a format prescribed by the controller, and shall provide the owner with a numbered taximeter certificate containing the following information:

- (1) the signature of the inspector;
- (2) a statement that the meter has passed inspection;



- (3) the date of the inspection;
- (4) the state license plate number of the taxicab;
- (5) the number of the certificate of title of the taxicab;
- (6) the controller's license number for the taxicab;
- (7) the name of the owner of the taxicab; and
- (8) such additional information as the controller deems necessary.

Sec. 996-76. Removal from service.

If a taximeter is inspected and found to be operating improperly, any monthly taxicab certificate shall be immediately removed from the vehicle and cancelled. The controller shall thereafter reinspect the taximeter upon the request of the licensee.

Sec. 996-77. Monthly taxicab certificate.

Each calendar month the controller shall issue a taxicab certificate to the owner for each licensed taxicab so long as said vehicle remains eligible for licensure. The certificate shall expire on the fifth day of the following month, unless sooner cancelled by the controller. The certificate shall be placed on the licensed vehicle at a location specified by the controller. The certificate shall have a format and color prescribed by the controller, and shall contain the name of the licensee, the city license number of the taxicab, the signature of the controller, and such additional information as the controller deems necessary.

ARTICLE VII. FARES

Sec. 996-81. Maximum fares.

No person shall transport or offer to transport a passenger in a public vehicle for hire for a fare higher than that fare which is authorized pursuant to this article. Except for regulations which may be adopted by the Indianapolis airport authority, nothing in this article shall be construed to prohibit the charging of a fare lower than that maximum fare which is authorized pursuant to this article.

Sec. 996-82. Limousine fares.

No person shall transport or offer to transport a passenger in a limousine for a fare unless the specific dollar amount of the fare is agreed in advance.

Sec. 996-83. Filing.

Every holder of a public vehicle for hire license shall file with the controller a fare schedule, which shall be open to the public, showing all rates and charges which the licensee has established and requires as payment for any of its services.

Sec. 996-84. Fare changes.

A fare schedule on file with the controller may be changed only upon ten (10) days written notice to the controller. With the exception of fares authorized under Sec. 996-86(8) and (9), fares in the schedules may not be changed more than once each calendar quarter.

Sec. 996-85. Airport fares.

(a) All licensees under this article shall comply with such rules as the Indianapolis Airport Authority may adopt regulating taxicab and limousine service for trips originating at the Indianapolis international airport, including rules establishing or regulating fares, vehicle size and luggage compartments, provided such rules are adopted pursuant to this section.

(b) At least thirty (30) days prior to the adoption of any rules specified in subsection (a) of this section, the Indianapolis Airport Authority shall provide notice of the proposed rules by certified or registered mail to the office of the city controller and to the clerk of the city-county council.

(c) Rules adopted pursuant to subsection (a) of this section shall not be effective sooner than sixty (60) days after notice of their adoption is received via registered or certified mail by both the Office of the city controller and the clerk of the city-county council.

Sec. 996-86. Allowable taxicab fares.

Charges for taxicab service may include only the following charges:

- (1) a pick-up charge for trips resulting from a phone request;
- (2) a pick-up charge for trips not resulting from a phone request;
- (3) a mileage charge measured in one-fifth (1/5) mile;
- (4) a waiting charge;
- (5) an extra passenger charge;
- (6) an alternative hourly charge;
- (7) an alternative regional center fare for trips originating and ending within that portion of Central Indianapolis lying east of White River, south of 12th Street, west of I-65 and north of I-70;
- (8) an alternative Indianapolis 500 Mile Race fare, on the date such race is scheduled to be run and any scheduled postponement date; and
- (9) an alternative Brickyard 400 Mile Race fare, on the date such race is scheduled to be run and any scheduled postponement date.

Sec. 996-87. 1994 maximum taxicab fares.

Until December 31, 1994, the following taxicab charges shall not exceed the amounts stated below:

- (1) The mileage charge shall not exceed thirty-three cents (33¢) for each one-fifth (1/5) mile.
- (2) The waiting charge shall not exceed thirty-three cents (33¢) for each one (1) minute of waiting time.
- (3) The extra passenger charge shall not exceed fifty-five (55¢) for each extra passenger.
- (4) The alternative hourly charge shall not exceed twenty dollars (\$20.00) per hour plus one dollar and sixty-five cents (\$1.65) per mile for each mile in excess of twelve (12) miles driven during any one (1) hour.
- (5) The alternative regional center fare shall not exceed five dollars (\$5.00) plus any applicable extra passenger charge.

Sec. 996-88. 1995 maximum taxicab fares.

From January 1, 1995 through December 31, 1995, the following taxicab charges shall not exceed the amounts stated below:

- (1) The mileage charge shall not exceed thirty-six cents (36¢) for each one-fifth (1/5) mile.
- (2) The waiting charge shall not exceed thirty-six cents (36¢) for each one (1) minute of waiting time.
- (3) The extra passenger charge shall not exceed sixty cents (60¢) for each extra passenger.



- (4) The alternative hourly charge shall not exceed twenty-two dollars (\$22.00) per hour plus one dollar and eighty cents (\$1.80) per mile for each mile in excess of twelve (12) miles driven during any one (1) hour.
- (5) The alternative regional center fare shall not exceed five dollars (\$5.00) plus any applicable extra passenger charge.

Sec. 996-89. Permanent Maximum Taxicab Fares.

From and after January 1, 1996, the following taxicab charges shall not exceed the amounts stated below:

- (1) The mileage charge shall not exceed forty cents (40¢) for each one-fifth (1/5) mile.
- (2) The waiting charge shall not exceed forty cents (40¢) per each one (1) minute of waiting time.
- (3) The extra passenger charge shall not exceed sixty-five cents (65¢) for each extra passenger.
- (4) The alternative hourly charge shall not exceed twenty-four dollars (\$24.00) per hour plus two dollars (\$2.00) per mile for each mile in excess of twelve (12) miles driven during any one (1) hour.
- (5) The alternative regional center fare shall not exceed five dollars (\$5.00) plus any applicable extra passenger charge.

ARTICLE VIII. TAXICAB OPERATION REGULATIONS

Sec. 996-101. Fraudulent operation.

No person shall operate on the streets of the city of Indianapolis any taxicab or any vehicle marked so as to appear to be a taxicab, unless the vehicle is a taxicab licensed pursuant to this article.

Sec. 996-102. Fare advertisement.

The fare schedule in use by a taxicab at any given time shall be displayed on the exterior of the taxicab in a format prescribed by the controller, designed to be readable by potential passengers. The fare schedule so advertised shall not exceed the fare schedule for that taxicab as filed with the controller. This provision shall not be construed to prohibit taxicab fares lower than the fares so displayed.

Sec. 996-103. Use of taximeters.

No person shall operate a taxicab as a taxicab unless the taximeter is engaged.

Sec. 996-104. Taximeter security.

All taximeters shall be in an enclosed case permanently attached to a taxicab, and no person other than the controller or the inspector authorized by the controller shall remove or tamper with the case, the taximeter or the seal placed on any taximeter by the controller, unless the current taximeter and monthly taxicab certificates are first surrendered to the controller.

Sec. 996-105. Illumination of taximeters.

All taximeters shall be illuminated between sunset and sunrise so as to be easily and clearly readable at all times by passengers seated in the rear seat.

Sec. 996-106. Taxicab waiting charges.

When a taxicab arrives at the place to which it has been called by a passenger, the driver shall give notice of his arrival to such person, and for the first three (3) minutes following notice there shall be no time charge for waiting. For any waiting time thereafter, either at the place of call or in route to the passenger's destination, the waiting charge authorized by the current schedule may be charged. However, no waiting time shall be charged in any case where the wait is caused by the premature arrival of the driver at the place of the call, or where delays occur in route due to the condition of the taxicab, driver, or traffic, including railroad crossing delays.

Sec. 996-107. Routes.

Licensees operating taxicabs shall use the shortest practicable routes on all trips.

Sec. 996-108. Limousine service.

If agreed in advance by a passenger, then in lieu of taxicab service, a taxicab may be used to provide all other services which may be offered by a limousine. While operating as a limousine, a taxicab shall be governed by the provisions of this article respecting limousines, and shall not be governed by the provisions of this article respecting taxicabs.

ARTICLE IX. MISCELLANEOUS REGULATIONS

Sec. 996-121. Cruising.

No provision herein shall be construed to prohibit public vehicles for hire from cruising in search of customers. Cruising shall not be conducted in any manner which impedes the flow of traffic.

Sec. 996-122. Dispatching log.

Any licensee having a central dispatch office shall maintain at that central dispatch office a record of all dispatches including the time of the agreement to provide service and the time, date and location to which the service is to be provided. Dispatching logs shall be retained for at least one (1) year by the licensee and shall be open to inspection on demand by the controller and any police agency having jurisdiction over the geographical area of the office.

Sec. 996-123. Maintenance

The exterior and interior of all vehicles in use as public vehicles for hire shall be kept well painted, maintained and reasonably free from dirt.

Sec. 996-124. Dress Code.

(a) A person operating a public vehicle for hire shall at a minimum:

- (1) Be clean and free of any body odor detectable to a reasonable passenger;
- (2) Have all visible head and facial hair neatly trimmed and combed or brushed;
- (3) Be dressed in clean and neat outer wear consisting of shoes and a collared shirt or blouse and slacks or skirt, or dress.

(b) No person operating a public vehicle for hire shall wear as outer wear thongs, sandals, shorts, trunks, collarless shirt, tank top, body shirt, see-through clothing, swim wear or sweat clothing.

Sec. 996-125. Discrimination.

No licensee shall refuse as a passenger any person who applies to him for transportation solely on any discriminatory basis which violates federal or state law.

Sec. 996-126. Display of licenses and fare schedules.

Every public vehicle for hire shall display in plain view of passengers the public vehicle for hire license for that vehicle, the license for the operator of that vehicle and the fare schedule for that vehicle as filed with the controller.

Sec. 996-127. Persons with disabilities.

While knowingly providing transportation to persons with disabilities, a public vehicle for hire and a person licensed to operate a public vehicle for hire shall comply with all requirements of the Americans with Disabilities Act in all respects, including equipment, training of personnel, and all other respects.



Sec. 996-128. Defacing license.

No licensee shall deface, disguise or otherwise alter any license or certificate issued hereunder.

Sec. 996-129. Share rides.

No licensee shall transport any passenger other than the first passenger to occupy the public vehicle for hire without the express or implied consent of each prior passenger. Consent may be implied by entering a public vehicle for hire which is identified by exterior markings as a jitney or which otherwise, by its style, markings or established practices, would be known to a reasonable person to commonly transport multiple passengers simultaneously. A taxicab engaging in share riding is not required to be equipped with a meter capable of accounting separately for each trip segment.

Sec. 996-130. Alcoholic beverages.

No licensee under this article shall furnish or offer to furnish any alcoholic beverage to any passenger.

Sec. 996-131. Payment of fare.

No person who requests and receives transportation shall fail or refuse to pay a fare authorized by this article.

Sec. 996-132. Receipt.

Upon request by a passenger, the driver of a public vehicle for hire shall deliver to the passenger at the time of payment a signed receipt containing the driver's name and license number, the number of the license of the public vehicle for hire, the taximeter certificate number (if any), the distance or time for which the charge is made (if applicable), the total amount paid, by whom the amount was paid and the date of payment.

Sec. 996-133. Complaints.

Any person knowing of the misconduct of any licensee under this article may present a complaint to any police officer of the city or to the controller. The controller shall investigate the complaint with the assistance of the Indianapolis Police Department or the Marion County Sheriff, if the controller deems such assistance necessary. The Indianapolis Police Department or the Marion County Sheriff shall file with the controller a report of the facts relating to such conduct. The controller shall then notify the licensee in writing that charges have been filed against him, setting a time for a hearing on said charges.

Sec. 996-134. Compliance with law.

Persons licensed to operate a public vehicle for hire shall comply with all laws of the state of Indiana, provisions of this code, and such other rules and regulations as are issued by the controller.

Sec. 996-135. Location of central office; tax situs.

The controller shall revoke a limousine or taxicab license if the central office of the owner or the tax situs of the vehicle is removed from Marion County.

Sec. 996-136. Transferability.

No license or certificate granted under this article shall be transferrable.

Sec. 996-137. No property rights.

Nothing in this article shall be interpreted to grant any property rights of any kind to any licensee or any other person. All rights and restrictions created by the express language of this article may be expanded, reduced or eliminated at any time by ordinance or by regulation of the controller or other officer.

SECTION 2. The Code of Consolidated City and County is hereby amended by deleting the following provisions: Articles XVIII, XIX and XX of Chapter 17 (Secs. 17-509 through 17-709), Sec. 29-334 and Sec. 29-336. Provided, that any license previously granted pursuant to any such provision shall remain valid until

May 23, 1994

its previously scheduled expiration, and shall be subject to the same regulation as a comparable license granted pursuant to Section 1 of this ordinance. No such license may be renewed.

SECTION 3. The expressed or implied repeal or amendment by this ordinance or any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 4. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 5. Subject to the provisions of Section 2, this ordinance shall be in effect from and after July 1, 1994, and compliance with IC 36-3-4-14.

PROPOSAL NO. 140, 1994. Councillor O'Dell reported that the Community Affairs Committee heard Proposal No. 140, 1994 on May 18, 1994. The proposal, sponsored by Councillor O'Dell and Gray, provides Council endorsement and support for the City's Youth Fair Chance Demonstration Project Proposal. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor O'Dell moved, seconded by Councillor Gray, for adoption. Proposal No. 140, 1994 was adopted on the following roll call vote; viz:

*25 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Giffin, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, Smith, West, Williams*

*0 NAYS:*

*3 NOT VOTING: Dowden, Gilmer, Schneider*

*1 NOT PRESENT: Moriarty Adams*

Proposal No. 140, 1994 was retitled SPECIAL RESOLUTION NO. 44, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 44, 1994

A SPECIAL RESOLUTION providing City-County Council endorsement and support for the Youth Fair Chance Demonstration Project Proposal of the City of Indianapolis.

WHEREAS, the City of Indianapolis is in the process of submitting a Youth Fair Chance Demonstration Project Proposal to the U.S. Department of Labor as more fully explained in the attached memorandum; and

WHEREAS, the endorsement and support of the City-County Council would enhance the City's opportunity to achieve funding for this proposal; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council endorses and supports the Youth Fair Chance Demonstration Project Proposal of the City of Indianapolis.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 193, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 193, 1994 on May 16, 1994. The proposal amends the Code concerning payment of accrued compensatory time. Councillor Rhodes said that this issue



had to be clarified because compensatory time has been paid to exempt employees and that some of it was paid out at time and one half. This is prohibited in the Marion County Employee and Management Handbook. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Shambaugh, for adoption.

Councillor Curry asked if this includes bonuses which are paid at the end of the year or does it only relate to unused compensatory time. Robert G. Elrod, General Counsel, answered that this proposal only addresses compensatory time.

Councillor Williams stated that it is her understanding that once compensatory leave is granted an employee then that employee is acknowledged as being non-exempt and therefore the employee is automatically qualified to be paid for it.

Sue Beesley, Corporation Counsel, said that this ordinance deals with the problem of exempt employees who under the Fair Labor Standard Act are not entitled to compensatory time or compensatory payment by right; however, they can be granted compensatory time or compensatory payment. This is opposed to non-exempt employees who are entitled to it by right. The policy has varied from office to office and it has been left up to the heads of those offices to determine if and when they would award compensatory leave or compensatory payment to exempt employees. In some instances with all the overtime that non-exempt employees receive, they end up making more than their supervisor. It would still allow in some cases for an exempt employees to earn the compensatory time, but when their employment ends for whatever reason they could not be paid for it.

Proposal No. 193, 1994 was adopted on the following roll call vote; viz:

*22 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, West*

*3 NAYS: Golc, Gray, Williams*

*3 NOT VOTING: Giffin, Hinkle, Ruhmkorff*

*1 NOT PRESENT: Moriarty Adams*

Proposal No. 193, 1994 was retitled GENERAL ORDINANCE NO. 77, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 77, 1994

A GENERAL ORDINANCE amending Sec. 23-31 of the Code of Indianapolis and Marion County to prohibit the payout of compensatory time to exempt and excluded employees.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. Sec. 23-31 of the Code of Indianapolis and Marion County is hereby amended by adding the words underlined and deleting the words stricken-through as follows:

Sec. 23-31. Compensatory leave.

(a) *Non-exempt employees.* Compensatory leave for employees classified as non-exempt shall be governed by the provisions of the Fair Labor Standards Act as supplemented by policies adopted by the director of administration and elected county officials.

May 23, 1994

(b) Exempt and excluded employees. Employees classed as exempt or excluded from the provisions of the Fair Labor Standards Act may be granted compensatory leave time pursuant to the provisions of this subsection.

~~Compensatory leave may only be granted to an employee for time worked in his employment for the city or county beyond the normal workweek of the office involved and for which no remuneration is paid.~~ Compensatory leave is reserved for those exceptional circumstances when the job requires the employees to work a longer amount of time than the regular course of the job demands. The policy respecting compensatory leave shall be determined by the director of administration and each elected county official, and in every such instance by the requirements and circumstances of each office. Full discretion is granted to all elected county officials and the director of administration. In no event shall such exempt or excluded employees be paid for unused compensatory time.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NO. 275, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 275, 1994 on May 16, 1994. The proposal approves a public purpose grant in the amount of \$65,000 to Indiana University for the purpose of financing educational access cable television programming for Marion County. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Short, for adoption. Proposal No. 275, 1994 was adopted on the following roll call vote; viz:

21 YEAS: *Beadling, Black, Borst, Boyd, Coughenour, Curry, Franklin, Gilmer, Gray, Jimison, Jones, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, Smith, West, Williams*  
4 NAYS: *Dowden, Giffin, McClamroch, Schneider*  
3 NOT VOTING: *Brents, Golc, Hinkle*  
1 NOT PRESENT: *Moriarty Adams*

Proposal No. 275, 1994 was retitled SPECIAL RESOLUTION NO. 45, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 45, 1994

A SPECIAL RESOLUTION approving a public purpose grant to Indiana University in the amount of \$65,000 for the purpose of financing educational access cable television programming in Marion County.

WHEREAS, the Cable Franchise Board proposes to authorize a public purpose grant in the amount of \$65,000 to Indiana University for the purpose of financing educational access programming over the educational access channels of the two franchised cable television systems within Marion County (the Grant); and

WHEREAS, Section 2-428 of the Code of Indianapolis and Marion County, Indiana, requires that all public purpose grants shall be subject to appropriation by the City-County Council; and

WHEREAS, Section 4.01(c) of City-County Fiscal Ordinance No. 70, 1993, Annual Budget and Tax Levies for the Consolidated City of Indianapolis and for Marion County, Indiana, requires that sums appropriated



therein for public purpose grants shall not be spent until the City-County Council of the City of Indianapolis and of Marion County, Indiana, approves the amount and identity of the recipient of each grant; and

WHEREAS, the Council now finds that the Grant should be approved; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Grant in the amount of \$65,000 to Indiana University by the Cable Franchise Board is hereby approved. No grant funds shall be used in whole or in part to fund any program which endorses a political candidate or which attempts to promote or influence legislation.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 277, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 277, 1994 on May 16, 1994. The proposal, sponsored by Councillor McClamroch, amends the Revised Code concerning the Marion County Information Services Board. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Coughenour, for adoption. Proposal No. 277, 1994 was adopted on the following roll call vote; viz:

24 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

2 NAYS: *Gray, Williams*

2 NOT VOTING: *Giffin, Rhodes*

1 NOT PRESENT: *Moriarty Adams*

Proposal No. 277, 1994 was retitled GENERAL ORDINANCE NO. 78, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 78, 1994

A GENERAL ORDINANCE amending the Revised Code concerning the Marion County Information Services Board.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sec. 281-211 of the "Revised Code of the Consolidated City and County" be, and is hereby amended by deleting the stricken-through text and inserting the underlined text to read as follows:

Sec. 281-211. Board created; members; compensation.

(a) There is hereby created the Marion County Information Services Board, which shall consist of the following persons, who shall be appointed for the following terms:

- (1) Two (2) city officers appointed by the mayor of the City of Indianapolis, to serve at the pleasure of the mayor;
- (2) Two (2) county constitutional officeholders, limited to the Auditor and the Clerk or Treasurer of Marion County, to be appointed by, and serve at the pleasure of, the council;
- (3) The Presiding Judge of Marion County Municipal Court, representing the judicial branch of local government, to serve by virtue of that office;

- (4) Two (2) persons, ~~each of whom must have with~~ senior management experience ~~with which includes holding or having held line authority over the manager of the data processing area of an organizations which are~~ located in Marion County, ~~which that~~ utilizes a large data processing installations comparable to the city-county installation, and ~~which are that~~ is not in the business of selling data processing equipment or services. ~~Further, each such person must hold line authority over the manager of the organization's data processing area.~~ One such person shall be appointed by the council and the other by the mayor. The terms of such ~~citizen~~ appointments shall be staggered by the initial appointment of the mayor's appointment to a three-year term and the council's appointment to a two-year term; thereafter each to serve for two-year terms but at the pleasure of the respective appointing authority.

(b) Board members shall serve in person and not by proxy, and without compensation, except that personal expenses incurred through service to the board, travel, lodging and fees may be reimbursed to the board member upon authorization of the board.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 279, 1994. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 279, 1994 on May 12, 1994. The proposal approves the Public Housing Division's plan to replace 81 units of public housing. It has been determined that this action does not need Council approval. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor West moved, seconded by Councillor Gilmer, to strike. Proposal No. 279, 1994 was stricken by unanimous voice vote.

PROPOSAL NO. 283, 1994. Councilor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 283, 1994 on May 18, 1994. The proposal, sponsored by Councillors Giffin, Golc and Short, amends the Code by authorizing a change in speed limits for segments of Raymond Street and Airport Expressway (Districts 17, 19, 21). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Hinkle, for adoption.

Councillors Coughenour, Jimison and Curry expressed their disapproval of the reduction of speed on Airport Expressway.

Councillor McClamroch moved to amend Proposal No. 283, 1994 by eliminating the segment between Interstate 70 and Interstate 465. Councillor Jimison seconded that motion. Councillor McClamroch said he has been informed by Mr. Elrod that he has eliminated the whole proposal; therefore, he moved to strike Proposal No. 283, 1994. Councillor Coughenour seconded the motion.

Councillor Golc moved to return Proposal No. 283, 1994 to Committee.

Councillor McClamroch's motion to strike was defeated by majority voice vote.

The President ruled that Councillor Golc's motion to return Proposal No. 283, 1994 to Committee was defeated by majority voice vote.

Councillor McClamroch said he has been informed by Mr. Elrod that his first motion to eliminate the segment between Interstate 70 and Interstate 465 does not eliminate the whole proposal; therefore, he moved to delete from Proposal No. 283, 1994 the portions between Interstate 70 and Interstate 465.



Councillor Curry asked for a point of order. He asked for a division on Councillor Golc's motion to return Proposal No. 283, 1994 to Committee. Proposal No. 283, 1994 was returned to Committee by the following roll call vote; viz:

15 YEAS: Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Golc, Jones, McClamroch, Mullin, Ruhmkorff, Schneider, SerVaas, Smith, West

13 NAYS: Beadling, Black, Brents, Giffin, Gilmer, Gray, Hinkle, Jimison, O'Dell, Rhodes, Shambaugh, Short, Williams

1 NOT PRESENT: Moriarty Adams

PROPOSAL NO. 284, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 284, 1994 on May 18, 1994. The proposal, sponsored by Councillor Williams, amends the Code by deleting one-way traffic flow on Pennsylvania Street between 30th Street and 28th Street; removes traffic signals at Pennsylvania Street and 30th Street and Pennsylvania Street and 29th Street; and authorizes no parking on Pennsylvania Street on the east side from 28th Street to 29th Street (District 22). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Williams, for adoption. Proposal No. 284, 1994 was adopted on the following roll call vote; viz:

24 YEAS: Beadling, Black, Borst, Boyd, Brents, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Ruhmkorff, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

4 NOT VOTING: Coughenour, Giffin, Rhodes, Schneider

1 NOT PRESENT: Moriarty Adams

Proposal No. 284, 1994 was retitled GENERAL ORDINANCE NO. 79, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 79, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-92, Schedule of intersection controls; Sec. 29-166, One-way streets and alleys designated; and Sec. 29-267, Parking prohibited at all times on certain streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18, Pg. 13	Pennsylvania St & 29th St	None	Signal
18, Pg. 13	Pennsylvania St & 30th St	None	Signal

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

May 23, 1994

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18, Pg. 13	Pennsylvania St & 29th St	29th St	Stop
18, Pg. 13	Pennsylvania St & 30th St	30th St	Stop

SECTION 3. The "Code of Indianapolis and Marion County Indiana," specifically Chapter 29, Sec. 29-166, One-way streets and alleys designated, be and the same is hereby amended by the deletion of the following, to wit:

SOUTHBOUND  
Pennsylvania Street, from  
Talbot Street to 28th Street

SECTION 4. That the "Code of Indianapolis and Marion County Indiana," specifically Chapter 29, Section 29-166, One-way streets and alleys designated, be and the same is hereby amended by the addition of the following, to wit:

SOUTHBOUND  
Pennsylvania Street, from  
Talbot Street to 30th Street

SECTION 5. That the "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the deletion of the following, to wit:

Pennsylvania Street, on the west side,  
from the south curbline of 30th Street  
to a point 260 feet South;

SECTION 6. That the "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the addition of the following, to wit:

Pennsylvania Street, on the east side,  
from 28th Street to 29th Street

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

### **SPECIAL SERVICE DISTRICT COUNCILS**

PROPOSAL NO. 548, 1993. Councillor Rhodes stated that he was not present at the Committee meeting when Proposal Nos. 548, 1993; 107,108, 109, 110 and 111, 1994 were heard; therefore, Councillor Coughenour will be giving the Committee report. However, he wanted to amend the proposal before the Committee report was given.

Councillor Rhodes read the following motion:

Mr. President:

I move to amend Proposal No. 548, 1993, Committee report version, as follows:

- (1) Add a new Section 2, to read as follows: SECTION 2. General Ordinance No. 5, 1993 inadvertently inserted certain erroneous language in paragraph (2) of subsection (g) of Sec. 23-27. That paragraph is printed correctly herein and shall be deemed effective upon passage and applied as if such error had not been made.
- (2) Sections 2 and 3 be renumbered as Sections 3 and 4 respectively.



- (3) Section 4 be amended to read as follows: SECTION 4. This ordinance, except for Section 2, shall be in effect from and after September 1, 1994.

Councillor Rhodes stated that the technical amendment is in effect immediately and the balance of Proposal No. 548, 1993 will be in effect September 1994. This motion was seconded by Councillor Short and passed by unanimous voice vote.

Councillor Coughenour reported that the Administration and Finance Committee heard Proposal No. 548, 1993 on May 2, 1994. The proposal concerns leave benefits for City-County employees. The proposed ordinance restructures the leave banks for City and County employees, allowing more flexibility for employees and simplified record keeping for City and County payroll departments. It also caps the liability for accrued sick leave. There is a substantial amount of financial liability confronting City and County agencies when an employee retires, dies or converts sick leave and then leaves employment. This proposal proposes to give newly hired employees 22 benefit days per year to be used for any purpose. Employees will receive five additional benefit leave days for each additional five years of service, up to a maximum of 37 benefit leave days per year. The only other type of leave that employees will accrue under this proposal is short term disability leave which will accrue at the rate of ten hours per month. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Coughenour moved, seconded by Councillor Short, for adoption.

The President asked if the benefits are frozen at this time, how many benefit leave days have been accumulated. James H. Steele, Jr., City Controller, said for union employees the cost in benefit days will total \$420,000 as of March 1994, and for bi-weekly employees the total would be \$295,000. John Montgomery, Deputy County Auditor, said the County cannot provide those figures because they work on a decentralized system. He did give a rough estimate of the cost which would be between \$400,000 and \$500,000.

Proposal No. 548, 1993, as amended, was adopted on the following roll call vote; viz:

*23 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Short, Smith, Williams*

*2 NAYS: Hinkle, West*

*3 NOT VOTING: Giffin, Gray, Shambaugh*

*1 NOT PRESENT: Moriarty Adams*

Proposal No. 548, 1993, as amended, was retitled GENERAL ORDINANCE NO. 80, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 80, 1993

A PROPOSAL FOR A GENERAL ORDINANCE amending Chapter 23 of the Code of Indianapolis and Marion County

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Chapter 23 of the Code of Indianapolis and Marion County is hereby amended by deleting the words stricken-through and adding the words underlined as follows:

ARTICLE II. LEAVES AND HOLIDAYS

Sec. 23-24. Policy as to leaves of absence of employees.

(a) Although the policy of leaves of absence, with pay, for regular ~~vacations time off~~ by employees is hereby approved, the granting of any leave of absence is the responsibility of the officers concerned and should be authorized only when due and justifiable. The provisions of this article are declared to be permissive within the proper maximum limits prescribed in this article for the granting of leaves of absence and not to indicate or limit the discretionary policy and powers of any officer in regard to any such leaves; the respective officers shall determine ~~the leave policies and establish procedures and requirements for use of leave time~~ for their offices, guided by the maximum indicated in this article.

(b) The provisions of this article are designed to establish a basis for uniformity and equality in the granting of leaves of absence to all employees and to strengthen the authority of officers in respect thereto.

(c) The officials shall have the authority to authorize any officer or office to extend the maximum leaves of absence prescribed in this article, for certain specific individuals or classes of employees, when the nature of the work and normal employment practices make such action advisable for health reasons or other grounds deemed reasonable by him to justify any exemptions.

(d) The respective offices, departments, divisions, bureaus and commissions of the city and county, all included for brevity in the word "officer" or "officers," are authorized to certify payrolls when leave is granted to employees as provided in this article. All county agencies shall report benefit and short term disability leave time used and accrued by employees to the Office of the Marion County Auditor. All city departments and agencies shall report leave time used and accrued by employees to the Office of the Controller.

(e) Leave allowances for employees of the Marion County Health Care Center shall be established by the Board of Managers (County Home Board) pursuant to IC 12-30-3-9.

Sec. 23-25. Leave allowances generally.

(a) Leave allowances shall be as indicated in the categories set out in this article. All leave periods are for the total time in any calendar year. Any employee transferring between city and county offices and departments covered by this chapter, within thirty (30) days of terminated employment, shall be considered to be in continued employment for leave purposes and such transfer shall not affect the employee's status as to accrued leave or eligibility for leave.

~~(a) Leave allowances shall be as indicated in the categories set out in this article. All leave periods are for the total time in any calendar year. Any employee transferring between city and county offices and departments covered by this chapter, within thirty (30) days of terminated employment, shall be considered to be in continued employment for leave purposes and such transfer shall not affect the employee's status as to accrued leave or eligibility for leave.~~

(b) In accordance with the reduction-in-force plan, in the case of a layoff, those employees laid off will receive credit for their previously accumulated sick leave and short term disability leave and years of service at the time of their reinstatement, provided they are recalled within one year from the date they were laid off.

~~Sec. 23-26. Vacation leave.~~

~~(a) Accrual schedule for Unigov departments and applicable county and township assessors' offices.~~

~~(1) Employees with less than seven (7) continuous years of employment shall receive eighty (80) vacation hours; the vacation leave shall accrue monthly at the rate of six and sixty six hundredths (6.66) hours per month.~~

~~(2) Employees with seven (7) continuous years of employment but less than fifteen (15) continuous years of employment shall receive one hundred twenty (120) vacation hours, which shall accrue monthly at the rate of ten (10) hours per month.~~

~~(3) Employees with fifteen (15) or more continuous years of employment shall receive one hundred sixty (160) vacation hours, which shall accrue at the rate of thirteen and thirty three hundredths (13.33) hours per month.~~



- ~~(4) Vacation leave can only accrue if the employee works, or is on a paid leave of absence, or is receiving workmen's compensation (or any combination of the three) for more than half of the month. However, accrual of vacation leave shall end when the employee receiving workmen's compensation has received a permanent disability rating or when the employee has been on workmen's compensation for a period of twelve (12) months from the date of injury, whichever comes first.~~
- ~~(b) Accrual schedule for applicable county and township assessors' offices:~~
  - ~~(1) Employees with less than seven (7) continuous years of employment shall receive seventy-five (75) vacation hours; the vacation leave shall accrue monthly at the rate of six and twenty-five hundredths (6.25) hours per month.~~
  - ~~(2) Employees with seven (7) continuous years of employment but less than fifteen (15) continuous years of employment shall receive one hundred twelve and five-tenths (112.5) vacation hours which shall accrue at the rate of nine and three hundred seventy-five thousandths (9.375) hours per month.~~
  - ~~(3) Employees with fifteen (15) or more continuous years of employment shall receive one hundred and fifty (150) vacation hours, which shall accrue at the rate of twelve and five-tenths (12.5) hours per month.~~
  - ~~(4) Vacation leave can only accrue if the employee works, is on a paid leave of absence, or on workmen's compensation for more than half of the month.~~
- ~~(c) Charging vacation. Vacation shall be charged at the rate the employee is scheduled to work.~~
- ~~(d) Persons ineligible for leave. In the first year of service, no employee shall take or accrue vacation leave until after six (6) months of continuous employment. At the end of this six month period, a full-time employee will be credited with forty (40) hours of vacation leave, if applicable, or thirty-seven and five-tenths (37.5) hours of vacation leave.~~
  - ~~(1) Those employees who are starting to work on or before the fifteenth day of the month shall have their accounts credited with the appropriate vacation time on the first day of the sixth month following the month in which they were hired.~~
  - ~~(2) Those employees who are starting to work after the fifteenth day of the month shall have their accounts credited with the appropriate vacation time on the first day of the seventh month following the month in which they were hired.~~
  - ~~(3) The employee must work six (6) months before any time can be credited to his/her account.~~
  - ~~(4) Employees who have been terminated or who have resigned from city employment will receive credit for vacation accrued in the month they left our employment only if they worked longer than the fifteenth day of the month.~~
  - ~~(5) No employee who has not been employed for a minimum of six (6) months shall be eligible for vacation pay upon termination.~~
- ~~(e) Vacation dates. An employee must request the dates of his individual vacation leave two (2) weeks in advance, but the final right to approve vacation leave shall rest with the office, department, division, bureau or commission involved in order to preserve efficiency and provide the necessary service.~~
- ~~(f) Part-time employees. At the discretion of the appropriate official, part-time employees may be entitled to leave; however, leave pay for these employees shall not exceed the rate of their average weekly or monthly salary during the previous six (6) months of employment.~~
- ~~(g) When vacation leave does not accrue. No vacation leave shall accrue while an employee is on any leave without pay status. No temporary/seasonal or part-time/temporary employee is eligible to accrue vacation leave or pay.~~
- ~~(h) Vacation carry-over. Vacation leave shall be taken within the calendar year in which it is accumulated; however, at the discretion of the appropriate official, up to a maximum of eighty (80) hours if on accrual schedule (a) and seventy-five (75) hours if on accrual schedule (b) [of] earned vacation leave may be carried~~

~~over from one calendar year to the next calendar year, provided such officials retain the right to schedule such carryover vacation leave at their discretion in order to maintain the efficiency of the operation involved.~~

~~(i) Two weeks' notice. Two (2) weeks' notice must be given upon voluntary resignation in order to receive payment for accrued vacation time.~~

~~(j) Disability leave. Once temporary disability leave commences, all vacation leave, sick leave, or other paid time shall be exhausted.~~

~~(k) Employees transferred from non-city or non-county entities. Any person who becomes an employee as a result of a transfer of the duties of his/her former employer to the city or county may, upon the approval of the appropriate official, use his/her most recent hire date with the former employer for the purpose of determining vacation leave accrual.~~

~~Sec. 23-27. Sick leave.~~

~~(a) Accrual schedule for Unigov departments and appropriate county township assessors' offices.~~

~~(1) Full-time employees shall accrue sick leave at the rate of six (6) hours per month, seventy-two (72) hours per year. Part-time employees, at the discretion of the appropriate official, shall accrue sick leave on a pro rata basis (based on the percentage of the normal week which the employee works). Temporary/seasonal or part-time/temporary employees shall not accrue sick leave.~~

~~(2) Those employees who are starting to work on or before the fifteenth day of the month shall have their accounts credited with six (6) hours of sick time on the first day of the month following the month in which they were hired.~~

~~(3) Those employees who are starting to work after the fifteenth day of the month shall have their accounts credited with six (6) hours of sick time on the first day of the second month after they were hired.~~

~~(4) Sick leave can only accrue if the employee works, is on paid leave of absence, or is receiving workmen's compensation (or any combination of the three) for more than half of the month. However, accrual of sick leave shall end when the employee, receiving workmen's compensation, has received a permanent disability rating, or when the employee has been on workmen's compensation for a period of twelve (12) months from the date of injury, whichever comes first.~~

~~(b) Accrual schedule for appropriate county and township assessors' offices.~~

~~(1) Full-time employees shall accrue sick leave at the rate of five and sixty-three hundredths (5.63) hours per month, sixty-seven and five-tenths (67.5) hours per year. Part-time employees, at the discretion of the appropriate official, may accrue sick leave on a pro rata basis (based on the percentage of the normal week the employee works). Temporary/seasonal or part-time/temporary employees shall not accrue sick leave.~~

~~(2) Those employees who are starting to work on or before the fifteenth day of the month shall have their accounts credited with five and sixty-three hundredths (5.63) hours of sick time on the first day of the month following the month in which they were hired.~~

~~(3) Those employees who are starting to work after the fifteenth day of the month shall have their accounts credited with five and sixty-three hundredths (5.63) hours of sick time on the first day of the second month after they were hired.~~

~~(4) Sick leave can only accrue if the employee works, is on a paid leave of absence or is receiving workmen's compensation for more than half of the month.~~

~~(c) Unearned leave. Sick leave cannot be used prior to accrual.~~

~~(d) Justification. The burden of proof rests with the employee to convince his supervisor that sick leave is justifiable. The supervisor may require a medical certificate or other evidence of illness. Sick leave is only to be used for a personal doctor's appointment or personal illness. In addition, the appropriate official has the right to request that an employee be examined by a physician and/or medical facility of his or her choice, prior to allowing an employee to return to work, either for a job-related injury or sick leave. The appropriate official will pay the cost of this examination.~~



~~(e) Malingering. In case of malingering, the supervisor may designate such leave as vacation leave or leave without pay or as grounds for dismissal.~~

~~(f) Conversion. Any employee accruing eighteen (18) days of sick leave subsequent to July 1, 1973, shall be eligible to accrue excess accumulated sick leave. The employee may convert such excess accumulated sick leave to vacation leave at a rate of one (1) vacation day for two (2) days of excess accumulated sick leave. If such employee wishes to make such an election, he/she must file a written request with the appropriate official by December 1st or June 1st of each year. Such leave, which is converted to vacation leave, shall be deducted from the sick leave accumulation of such employee and credited to the employee's vacation account on January 1st or July 1st. Accrued sick leave of an employee must be verified by either the director of administration or his/her designee for city employees, or the appropriate official for county or township assessors' employees. Once conversion is elected, the time converted from sick leave to vacation leave cannot be converted back, and is then subject to the maximum eighty-hour carryover provision.~~

~~(g) Separation from employment:~~

~~(1) Upon separation from employment by reasons of death, permanent disability as defined by the Social Security Act, or retirement under circumstances such that the employee would be eligible for retirement benefits under Social Security or any other plan in effect by the employer, any employee with more than (1) year of employment from the last date of hire will be entitled to compensation for accrued accumulated sick leave at one half his or her regular daily rate or compensation.~~

~~(2) An employee who is laid off due to reduction in force will be entitled to compensation for accrued, accumulated sick leave at one half his/her regular daily rate of compensation up to a maximum of eighteen (18) days of compensation if the employee has more than one (1) year of employment from the last date of hire and relinquishes any and all recall rights whether established by contract or by policy, within ten (10) days of being laid off.~~

~~(h) Charging sick leave. Sick leave may only be taken for a minimum of one hour.~~

~~(i) Disability leave. Once temporary disability leave commences, all vacation leave, sick leave or other paid time shall be exhausted.~~

~~(i) Notwithstanding Sec. 23-27(f) employees of the Advanced Wastewater Treatment Plants (AWT's) may elect to convert sick leave in excess of 144 hours to vacation leave at the rate of one (1) vacation day for every two (2) sick days. Such election must be made in writing to the appropriate official by February 28, 1994 and will be effective upon submission. Employees who elected to convert sick time in December of 1993, may notify the appropriate official in writing of their rescission of that election prior to February 28, 1994. Upon such notification the employee will be credited with appropriate sick time as computed in this section.~~

Sec. 23-26. Benefit leave.

(a) Accrual schedule for city employees and applicable county and township assessors' offices whose employees normally are scheduled to work a forty (40) hour week.

(1) Employees with less than five (5) continuous years of employment shall accrue benefit leave monthly at the rate of fourteen and sixty-six hundredths (14.66) hours per month.

(2) Employees who have completed five (5) continuous years of employment but less than ten (10) continuous years of employment shall accrue benefit leave monthly at the rate of eighteen (18) hours per month.

(3) Employees who have completed ten (10) years of continuous employment but less than fifteen (15) years of continuous employment shall accrue benefit leave monthly at the rate of twenty one and thirty three hundredths (21.33) hours per month.

(4) Employees who have completed at least fifteen (15) years of continuous employment shall accrue benefit leave at the rate of twenty four and sixty six hundredths (24.66) hours per month.

(5) Benefit leave can only accrue if the employee works, or is on a paid leave of absence, or is receiving worker's compensation (or any combination of the three) for more than half of the month.

(b) Accrual schedule for applicable county and township assessors' offices whose employees are normally scheduled to work a thirty seven and one half (37½) hour week.

- (1) Employees with less than five (5) continuous years of employment shall accrue benefit leave monthly at the rate of thirteen and seventy five hundredths (13.75) hours per month.
- (2) Employees who have completed five (5) continuous years of employment but less than ten (10) continuous years of employment shall accrue benefit leave monthly at the rate of sixteen and eight hundred seventy five thousandths (16.875) hours per month.
- (3) Employees who have completed ten (10) continuous years of employment but less than fifteen (15) continuous years of employment shall accrue benefit leave monthly at the rate of twenty (20) hours per month.
- (4) Employees who have completed at least fifteen (15) continuous years of employment shall accrue benefit leave monthly at the rate of twenty three and one hundred twenty five thousandths (23.125) hours per month.
- (5) Benefit leave can only accrue if the employee works, is on a paid leave of absence, or on worker's compensation for more than half of the month.

(c) Charging benefit leave. Benefit leave shall be charged at the rate the employee is scheduled to work.

(d) Eligibility for Accrual.

- (1) Those employees who are starting to work on or before the fifteenth day of the month shall have their accounts credited with the appropriate benefit leave time on the first day of the month following the month in which they were hired.
- (2) Those employees who are starting to work after the fifteenth day of the month shall have their accounts credited with the appropriate benefit leave time on the first day of the second month following the month in which they were hired.
- (3) Employees who have been terminated or who have resigned from city or county employment will receive credit for benefit leave for the month they left employment only if they worked past the fifteenth day of the month.

(e) Use of benefit leave. The final right to approve use of benefit leave shall rest with the office, department, division, bureau or commission involved in order to preserve efficiency and provide the necessary service.

(f) Part-time employees. Part-time employees shall be entitled to benefit leave; however, leave accrual and pay for these employees shall be prorated based upon the average hours scheduled during the previous six (6) months of employments.

(g) When benefit leave does not accrue. No benefit leave shall accrue while an employee is on any leave without pay status. No temporary/seasonal or part-time/temporary employee is eligible to accrue benefit leave or pay.

(h) Benefit leave carryover.

- (1) For City and County employees paid on a bi-weekly basis: Benefit leave shall be taken within the calendar year in which it is accumulated or it shall be lost. However, up to a maximum of one hundred seventy six (176) hours (one hundred sixty five (165) where appropriate) of benefit leave may be carried over from one calendar year to the next calendar year, provided the officials retain the right to schedule such carryover at their discretion in order to maintain the efficiency of the operation involved. In addition, an employee who is required by management to work during a period which the employee had been previously scheduled to take benefit leave and who is unable due to the demands of his/her position to reschedule the benefit leave for that calendar year may be allowed, with the approval of the Mayor or the appropriate elected official or agency head to carry over an additional eighty (80) hours (seventy five (75) where appropriate) of benefit leave, subject to such restrictions as may be imposed by the Mayor or the appropriate elected official or agency head. Benefit leave in



excess of the maximum carryover amount shall be added to an employee's short term disability leave bank, if that bank is not at maximum accrual.

- (2) For City employees covered by the current Master Agreement between the City and the American Federation of State, County and Municipal employees: Benefit leave shall be taken within the calendar year in which it is accumulated or it shall be lost. However, up to a maximum of the number of hours which the employee can accrue in a calendar year may be carried over from one calendar year to the next calendar year, provided the officials retain the right to schedule such carryover at their discretion in order to maintain the efficiency of the operation involved. In addition, an employee who is required by management to work during a period which the employee had been previously scheduled to take benefit leave and who is unable due to the demands of his/her position to reschedule the benefit leave for that calendar year may be allowed, with the approval of the Mayor to carry over an additional eighty (80) hours of benefit leave, subject to such restrictions as may be imposed by the Mayor. Benefit leave in excess of the maximum carryover amount shall be added to an employee's short term disability leave bank, if that bank is not at maximum accrual.

(i) Two weeks' notice. Two (2) weeks' notice must be given upon voluntary resignation in order to receive payment for accrued benefit leave.

(i) Employees who are terminated or separate employment prior to the completion of six (6) months of employment will not be paid for accumulated, unused benefit leave.

(k) Employees transferred from non-city or non-county entities. Any person who becomes an employee as a result of a transfer of the duties of his/her former employer to the city or county may, upon the approval of the appropriate official, use his/her most recent hire date with the former employer for the purpose of determining benefit leave accrual.

Sec. 23-27. Short Term Disability Leave.

(a) Accrual Schedule for City employees and applicable county and township assessors offices whose employees are normally scheduled to work a forty (40) hour week.

(1) Full-time employees shall accrue short term disability leave at the rate of ten (10) hours per month up to a maximum of four hundred (400) hours. Once the maximum accrual has been reached, employees shall not accrue short term disability leave unless short term disability leave is used, at which time additional short term disability time maybe accrued until the maximum accrual is reached once again.

(2) Part-time employees shall accrue short term disability leave on a pro rata basis up to a maximum number of hours to be determined by ascertaining the percentage of the normal work week which the employee is scheduled to work and applying that percentage to four hundred (400) hours. Short term disability leave shall be used on a pro rata basis based upon the number of hours scheduled in the previous six months. Once the maximum accrual has been reached, employees shall not accrue short term disability leave unless short term disability leave is used, at which time additional short term disability leave may be accrued until the maximum accrual is reached once again.

(3) Temporary and seasonal employees are not eligible to accrue short term disability leave.

(b) Accrual schedule for applicable county and township assessors' offices whose employees are normally scheduled to work a thirty seven and one half (37½) hour week.

(1) Full-time employees shall accrue short term disability leave at the rate of nine and three hundred seventy five thousandths (9.375) hours per month up to a maximum accrual of three hundred and seventy five (375) hours. Once the maximum accrual has been reached, employees shall not accrue short term disability leave unless short term disability leave is used, at which time additional short term disability leave may be accrued until the maximum accrual is reached once again.

(2) Part-time employees shall accrue short term disability leave on a pro rata basis up to a maximum number of hours to be determined by ascertaining the percentage of the normal workweek which the employee is scheduled to work and applying that percentage to three hundred seventy five (375) hours. Short term disability leave shall be used on a pro rata basis based upon the number of hours scheduled in the previous six months. Once the maximum accrual has been reached, employees shall not accrue



short term disability leave unless short term disability leave is used, at which time additional short term disability leave may be accrued until the maximum accrual is reached once again.

- (3) Temporary and seasonal employees are not eligible to accrue short term disability leave.

(c) Eligibility to Accrue. Employees with hire dates on or before the 15th day of the month will be eligible to have short term disability leave credited to them on the first day of the following month. Employees with hire dates after the 15th day of the month will be eligible to have short term disability leave credited to them on the first day of the second month following the month of hire.

Employees must be on paid status or on workers compensation for more than half of the month in order to accrue short term disability leave for the month.

- (d) Conditions for Use.

(1) Qualifying Period. In order to be eligible to use accrued short term disability leave, a full time employee must have an illness or injury which has caused or will cause him/her to be absent from work for more than forty (40) consecutive work hours (thirty seven and one half (37½) consecutive work hours for those employees who normally work a thirty seven and one half (37½ hour work week). A part time employee must have an illness or injury which has caused or will cause him/her to be absent from work for a consecutive number of hours which is equal to the number of hours he/she is scheduled to work in a one week period. Neither full time or part time employees may use short term disability leave during this initial qualifying period.

(2) Short term disability leave may be used only in day long increments, except in the case of employees who are receiving temporary total disability benefits as a result of a work related injury or illness, in which case an employee may elect to supplement these benefits using short term disability leave. In no event shall the disability benefits and the short term disability benefit payments and the amount received from any employer-paid disability insurance total more than the employee's regular rate of pay.

(3) City and County Offices and agencies may establish notice requirements as well as requirements for medical documentation to be provided by employees prior to the approval of use of short term disability leave.

(4) Disability leave. Once disability leave commences all benefit leave, short term disability leave and other paid leave time shall be exhausted before beginning any unpaid portion of the leave. However at the discretion of the employee up to forty (40) hours (thirty seven and one half (37½) where applicable) of accrued sick leave as described in Sec. 23-39 below, may be reserved for later use in accordance with Sec. 23-39 below.

Sec. 23-28. Personal leave.

(a) Full time employees shall accrue personal leave at the rate of two (2) hours per month, twenty four (24) hours per year.

(b) If personal leave is not used prior to December 31st of each calendar year, up to a maximum of twenty-four (24) hours for an employee of Unigov departments and appropriate county and township assessor's offices, and twenty two and five tenths (22.5) hours for the appropriate county and township assessors' offices, may be carried over from one calendar year to the next calendar year. Personal leave in excess of these maximum limits is automatically converted to sick leave and added to the employee's accumulated sick leave bank.

(c) Prior approval to take such leave must be obtained from the appropriate supervisor.

(d) At the discretion of the appropriate official, part-time employees shall receive personal leave on a pro-rata basis depending upon the per cent of the workweek the employee works in each four-month period.

(e) Temporary/seasonal and part-time/temporary employees shall not receive personal leave.

(f) New hires will receive two (2) hours of personal leave upon completing one full month work period.

(g) Personal leave time may only be taken for a minimum of one hour.



~~(h) Once temporary disability leave commences, all vacation leave, sick leave, or other paid time shall be exhausted.~~

~~(i) Personal leave can only accrue if the employee works, is on paid leave of absence, or is receiving workmen's compensation (or any combination of the three) for more than half of the month. However, accrual of personal leave shall end when the employee receiving workmen's compensation has received a permanent disability rating or when the employee has been on workmen's compensation for a period of twelve (12) months from the date of injury, whichever comes first.~~

Sec. 23-298. Judicial leave.

Time off with pay shall be granted an employee who is summoned for jury duty or as a nonpaid witness in any action in any court. However, in no case shall the city pay an employee judicial leave compensation for any proceeding in which he/she is a party, has a monetary interest, or serves as a paid expert witness, unless the employee is the victim in a criminal proceeding. The supervisor has the right to request verification. Temporary-seasonal and part-time temporary employees do not receive paid time off for judicial leave.

Sec. 23-30. ~~Unpaid leaves of absence.~~

~~(a) General leave of absence. Employees may be granted a leave of absence without pay, provided a written application is submitted for approval and provided further that such leave does not interfere with the efficient operation of the office, department, division, bureau, commission or function. An employee desiring a leave of absence shall make written application to the appropriate official and receive written approval from such official before the commencement of the requested leave. The application approval shall state the dates for which leave is requested and granted, and the reasons therefor. Only with the approval of the appropriate official can an employee return early from a scheduled leave of absence.~~

~~(b) Disability leave.~~

~~(1) An employee who becomes temporarily disabled and as a result will be unable to work at full capacity for an extended period of time may receive, upon written request and physician's confirmation of disability, a temporary disability leave of absence. Pregnancy leave shall be accorded in a manner consistent with leave extended because of other disabilities.~~

~~(2) If the employee knows in advance that he/she will be receiving medical attention such as an operation the employee needs to request a leave of absence in writing from the appropriate official a minimum of two (2) weeks prior to the time the desired leave is to commence. Such leave should normally commence at a time when, for medical reasons, the physician determines that the employee should no longer work. A physicians' statement should be attached to the request form indicating that employment from the time of the request until the leave commences is medically approved.~~

~~(3) If a medical disability occurs such as a heart attack or stroke where no forewarning of illness can be given, the employee's supervisor, upon notification by the employee or a member of his/her family, should fill out the leave of absence request and submit it to the appropriate official on behalf of the employee.~~

~~(4) The appropriate official shall make his/her decision to deny or grant the request for disability leave within one (1) week of receipt of such request.~~

~~(5) Upon granting a disability leave of absence, the appropriate official is assuring the individual of his or her former position or a comparable position in the department or office upon returning to work.~~

~~(6) Once the disability leave has been granted, the appropriate official will notify the employee of such decision in writing. Temporary disability leave shall commence as soon as the employee begins his or her absence from work. Once temporary disability leave commences, all vacation leave, sick leave or other paid time shall be exhausted.~~

~~(7) Once notification of an approved leave has been given, the employee must give the appropriate official a report of his/her medical condition every thirty (30) days.~~

~~(8) A minimum of two (2) weeks' notice plus a medical release form indicating that an employee is capable of returning to work and performing his/her former or the comparable job must be sent to the~~

May 23, 1994

~~appropriate official. In addition, the appropriate official has the right to request that an employee be examined by a physician and/or medical facility of his/her choice, prior to allowing an employee to return to work. The appropriate office will pay the cost of this examination.~~

- ~~(9) The employee must return to work within the period of time agreed upon by the appropriate official and employee, not to exceed a total of six (6) months. However, the date of return may be extended for good and sufficient medical cause; the extension shall be based on the recommendation of the physician and approval of the appropriate official, which extension shall not exceed an additional six (6) months.~~
- ~~(10) Any employee with an accumulated paid leave time above the six month maximum is granted an automatic extension (if needed) up to the amount of accumulated paid leave time.~~
- ~~(c) A violation of any of the terms of a leave taken pursuant to this section may result in discharge.~~

Sec. 23-3229. Holidays.

- (a) Designated. The following are designated as city holidays for full-time and part-time employees:

New Year's Day (January 1st);

Martin Luther King Day (third Monday of January);

Presidents Day (third Monday of February);

Good Friday (Friday preceding Easter);

Memorial Day (last Monday of May);

Independence Day (July 4th);

Labor Day (first Monday of September);

Thanksgiving Day (fourth Thursday of November);

Friday after Thanksgiving;

Christmas Day (December 25th);

Primary Election Day; and

General Election Day in years with state and municipal elections.

(b) Days celebrated as holidays in continuing operations. In continuing seven-day-a-week operations, employees will observe the actual holiday ~~and be paid in accordance with the following provisions.~~ For employees who are employed in functions which must necessarily be continued at all times, a policy of compensatory leave or overtime for work on holidays shall be determined by the competent authority of each office in cooperation with the direction of the department of administration.

- (c) Days celebrated as holidays in Monday-through-Friday operations.

- (1) In Monday-through-Friday operations, when any of these holidays occurs on Sunday, the Monday succeeding shall be designated as the legal holiday. When any holiday occurs on Saturday, the Friday preceding shall be designated as the legal holiday.
- (d2) Holiday pay for unworked holiday. ~~Full-time e~~Employees shall receive holiday pay at the employee's regular straight time rate for each of the designated holidays. if the employee is normally scheduled to work on the day that has been designated as a holiday.
- (3) (i) If a holiday is observed on a day of the week when an employee is not normally scheduled to work due to his/her participation in a voluntary flex time plan, the employee shall receive a maximum eight (8) hour (7½ hours where applicable) compensatory day off which shall be



scheduled, with the approval of his/her supervisor. An employee who separates employment shall not receive pay for any unused compensatory days.

- (ii) If a holiday is observed on a day of the week when an employee is not normally scheduled to work due to a work schedule implemented by the City, the employee shall observe his/her next regularly scheduled work day as a holiday and shall receive holiday pay for the number of hours he/she would have been regularly scheduled to work on that day.

(e4) Pay for working on a holiday. Eligible employees shall be paid time and one-half in addition to holiday pay for any and all time authorized for work on the day designated as the holiday or compensatory time and one-half off as the case may be.

(f5) Eligibility for holiday pay. To be eligible the employee must work the full scheduled workday before and the full scheduled workday following the holiday, unless the employee is on a paid leave of absence, or is receiving workmen's compensation. ~~Provided that, an employee receiving workmen's compensation may only receive holiday pay until the injury for which the employee is receiving workmen's compensation has received a permanent disability rating or for a twelve (12) month period, whichever occurs first.~~ In Monday-through-Friday operations, there shall be no duplication or pyramiding of holiday pay for holidays falling on Saturday or Sunday but which are observed on other days.

(g6) Failure to report for scheduled work. Any employee scheduled for work on a day designated as a holiday, who fails to report for work or absents himself or herself for that day, shall not be eligible for holiday pay or compensatory time off as the case may be. Regardless of whether the absence is approved or not, any employee scheduled to work on a holiday, who fails to work that holiday, must use paid leave time to be paid for that day.

~~(h) Part time employees. Part time employees shall receive holiday pay only if they are normally scheduled to work on the day that has been designated as a holiday and only the hours the employee would normally be scheduled to work.~~

(i7) Temporary employees. Temporary/seasonal and part-time/temporary employees do not receive holiday pay.

#### Sec. 23-33. Death leave.

Upon the death of a member of the immediate family, i.e., spouse, mother, father, son, daughter, brother, sister, stepmother, stepfather, stepson, stepdaughter, stepbrothers, stepsister, father-in-law, mother-in-law, son-in-law, daughter-in-law, grandmother, grandfather, grandson and granddaughter or other relative who was residing with the employee, and employee will receive a maximum of three (3) working days' leave with pay. The appropriate official has discretion to grant three (3) days for leave to be charged against any earned leave time for a death of someone other than those listed above. Documentation of the appropriate circumstances may be required of the employee, e.g., death certificate or article. Additional time off to be charged to earned leave time if available, or without pay may be granted at the discretion of the city or county office, department, division, bureau or commission. Temporary and seasonal employees are not eligible for paid death leave.

#### ~~Sec. 23-35. Perfect attendance leave~~

~~(a) Full time employees shall receive one perfect attendance day (eight (8) hours for Unigov departments and appropriate county and township assessors' offices or seven and five-tenths (7.5) hours for the appropriate county and township assessors' offices) for each four-month period in which no sick time or unpaid leave of absence time has been used:~~

~~January 1st-April 30th~~

~~May 1st-August 30th~~

~~September 1st-December 31st~~

~~Such leave shall be credited to the employee's account May 1st, September 1st, and January 1st, following the trimester worked.~~

~~(b) If the perfect attendance leave is not used prior to December 31st of each calendar year, up to a maximum of three (3) days earned perfect attendance leave may be carried over from one calendar year to the~~

~~next calendar year. Perfect attendance leave carried over in excess of three (3) days is automatically converted to sick leave and added to the employee's accumulated sick leave bank.~~

- ~~(c) Prior approval to take such leave must be obtained from the appropriate supervisor.~~
- ~~(d) Part time employees shall receive perfect attendance leave on a pro-rata basis depending upon the percent of the work week the employee is scheduled to work in each four month period.~~
- ~~(e) Temporary/seasonal and part time/temporary employees shall not receive perfect attendance leave.~~
- ~~(f) New hires [employees] will receive perfect attendance leave upon completing a full calendar trimester as defined in subsection (a).~~
- ~~(g) Perfect attendance leave may only be charged in one full work day increments.~~
- ~~(h) Perfect attendance leave cannot be earned while on any leave without pay status or while on sick leave. Provided, that, an employee's use of sick time while on workmen's compensation or leave related to workmen's compensation will not affect perfect attendance accrual.~~

Sec. 23-39. Implementation of Benefit Leave Plan.

(a) Effective date. The benefit leave and short term disability leave plans established by Sec. 23-26 and Sec. 23-27 shall take effect on September 1, 1994 for covered employees. Prior to this date, the current system of leave accrual shall continue.

(b) On the effective date each employee's accrued vacation leave, personal leave and perfect attendance leave will be rolled over into the employee's benefit leave bank.

(c) Treatment of Accrued Sick Leave Banks: All sick leave which is in an employee's sick leave bank on the effective date will be placed into a sick leave bank which may be used as follows:

- (1) Sick leave may be used in the case of an employee's illness or injury if the employee does not have enough short term disability leave to cover the absence or for a doctor's appointment, or for the first five days absence from work due to an illness or injury.
- (2) Sick leave in excess of 144 hours (in excess of 135 hours for those employees normally scheduled to work a 37½ hour week) may be converted to benefit leave at the rate of one benefit leave hour for every two sick hours converted. This conversion election may be made twice a year on June 1 and December 1 and will be effective the following July 1 and January 1. Once conversion is elected, the time converted from sick leave to benefit leave can not be converted back and will be subject to the maximum carryover provisions established in Sec. 23-26.
- (3) Upon an employee's separation due to death, disability (as defined by the Social Security Act) or retirement under circumstances that the employee would be eligible for retirement benefits under Social Security or any other plan in effect with the City, any employee with more than one year of employment from the last date of hire may be paid for accumulated sick time remaining in his/her sick leave bank at the rate of one-half his/her regular rate of pay at the time of retirement.
- (4) An employee who is terminated due to a reduction in force will be entitled to compensation for time remaining in his/her sick leave bank at one-half his/her hourly rate of pay up to a maximum of eighteen (18) days of compensation if the employee has more than one (1) year of employment from the last date of hire and relinquishes any and all recall rights whether established by contract or by policy, within ten (10) days of being laid off.
- (5) Other than under the conditions listed in subsections c and d above, an employee will not be entitled to be paid for any time in his/her sick leave bank upon separation.

SECTION 2. General Ordinance No. 5, 1993 inadvertently inserted certain erroneous language in paragraph (2) of subsection (g) of Sec. 23-27. That paragraph is printed correctly herein and shall be deemed effective upon passage and applied as if such error had not been made.

SECTION 3. The expressed or implied repeal or amendment by this ordinance or any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun



prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 4. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 5. This ordinance, except for Section 2, shall be in effect from and after September 1, 1994.

PROPOSAL NOS. 107, 108, 109, 110 and 111, 1994. Councillor Coughenour asked for consent to discuss these five proposals together. Consent was given. PROPOSAL NO. 107, 1994. The proposal approves a salary administration plan for the City. PROPOSAL NO. 108, 1994. The proposal approves a new salary schedule for bi-weekly civilian employees. PROPOSAL NO. 109, 1994. The proposal approves a new salary schedule for bi-weekly employees of the Police Special Service District. PROPOSAL NO. 110, 1994. The proposal approves a new salary schedule for bi-weekly employees of the Fire Special Service District. PROPOSAL NO. 111, 1994. The proposal approves a new salary schedule for bi-weekly employees of the Solid Waste Collection Special Service District. Councillor Coughenour reported that the Administration and Finance Committee heard Proposal Nos. 107, 108, 109, 110 and 111, 1994 on May 2, 1994. By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Coughenour moved, seconded by Councillor Rhodes, for adoption.

Councillors O'Dell and Golc both voiced their concern with the disparity between City and County salaries. Councillor Golc asked if there is a possibility that sometime in the future there could be the same compensation for both City and County.

Mr. Steele responded said that the County upgraded their salary levels two or three years ago. The County has more varied rates and works on a 37½ hour week and the City works on a 40 hour week.

Councillor West said that neither the City nor the County work together when salary structures are revised.

The President said that the Council permits two separate personnel departments. Until the Council mandates that the departments work together and cooperate with each other there will be disparity between City and County salaries. He suggested that committee chairmen who hear these budgets give the departments some instructions on cooperating with each other in these sensitive matters.

Proposal Nos. 107 and 108, 1994 were adopted on the following roll call vote; viz:

20 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Jimison, Jones, McClamroch, Mullin, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short,*  
4 NAYS: *Black, Hinkle, O'Dell, Smith*  
4 NOT VOTING: *Giffin, Gray, West, Williams*  
1 NOT PRESENT: *Moriarty Adams*

May 23, 1994

Proposal No. 107, 1994 was retitled SPECIAL RESOLUTION NO. 46, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 46, 1994

A SPECIAL RESOLUTION approving a salary administration plan for the City of Indianapolis.

WHEREAS, the current City administration has conducted a complete evaluation of the salary structure and pay grades of bi-weekly civilian employees of the City of Indianapolis, and

WHEREAS, the last such complete evaluation was done in 1977 and approved by City-County Council Resolution No. 16, 1977, and

WHEREAS, the current City administration, in order to more efficiently manage the salary structure of City bi-weekly civilian employees, desires to adopt a new salary administration plan and pay grades; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. City-County Council Resolution No. 16, 1977 is hereby repealed.

SECTION 2. The City-County Council hereby authorizes the use of the salary administration plan developed by the administration in conjunction with KPMG-Peat-Marwick ("Plan") for use in assigning pay grades for City bi-weekly civilian employees. After implementation of this plan, all positions shall be evaluated pursuant to the Plan and salaries assigned in accordance with its provisions. The salary of an employee whose current salary is in excess of the maximum for his/her new grade as assigned pursuant to the Plan need not be reduced solely for that reason. However, any salary increase or incentive payment for such an employee is subject to the approval of the appropriate department director or appointed official. The Plan, as well as records showing its implementation, shall be on file in the office of the Administrator of Human Resources who shall serve as the wage and salary administrator for the City.

SECTION 3. This resolution shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

Proposal No. 108, 1994 was retitled FISCAL ORDINANCE NO. 40, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 40, 1994

A FISCAL ORDINANCE amending Fiscal Ordinance No. 70, 1993 establishing a new salary schedule for bi-weekly civilian employees of the City.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Fiscal Ordinance No. 70, 1993 is hereby amended by deleting the language stricken-through and adding the language underlined as follows:

Section 5.02. Annual Compensation of Employees of the Consolidated City and County.

(a) Pursuant to IC 36-3-6-3, the City-County Council fixes the annual compensation for the calendar year 1994 for all appointed officers, deputies and employees under its jurisdiction, as set forth in this section.

(b) The Annual Compensation for 1994 for all appointed officers, deputies and employees of the Consolidated City, except those of a special services district, is hereby fixed for all classified personnel as follows:

(1) as set forth in the schedule in the Mayor's Executive Order No. ~~79~~, 19934, or

(2) for hourly employees in a bargaining unit shall be paid in accordance with the terms of the Master Agreement as approved by the Mayor.



Such compensation shall not be increased without approval of the Council or in accordance with such wage and salary classification ordinance as may from time to time be adopted for city-county employees. For employees of the City-County Council, the President of the City-County Council shall classify all employees of the Council pursuant to the pertinent rules and regulations of the Council and establish their rates of compensation.

(c) For all appointed officers, deputies and employees, whose compensation is payable from the County General Fund or any other fund from which the County auditor issues warrants for compensation, are hereby fixed in accordance with schedules of compensation adopted pursuant to Article VI of Chapter 23 of the Code of Indianapolis and Marion County provided; however, that this subsection shall not affect the salaries of judges, officers of courts, prosecuting attorneys and deputy prosecuting attorneys whose minimum salaries are fixed by statute.

(d) The respective amounts set forth in Sections 1.01 and 1.02 of this ordinance for personal services are hereby appropriated and include all salaries, wages, compensation and fringe benefits associated therewith. No person whose compensation is subject to the jurisdiction of the Council shall be paid in excess of the amounts scheduled for such position pursuant to subsections (b) or (c) of this section without action by this Council. However if an employee is reclassified pursuant to subsection (b)(1) and the employee's current salary is above the maximum for his/her new grade the City shall not be required to reduce the salary solely for that reason. Any increases or incentive pay for such an employee shall be subject to the approval of the appropriate department director or appointed official.

(e) The scheduled annual salaries shall be paid on the basis of forty hours per week for hourly paid employees. Employees classified as "exempt" for purposes of the Federal Fair Labor Standards Act shall be salaried and such salaries paid on an annualized basis, and shall be required to regularly work a forty-hour (40) week, except for certain county offices which normally work only thirty-seven and one-half (37) hours per week in which case the salary scheduled shall be reduced by 1/16 of the scheduled compensation.

SECTION 2. This amendment shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

### **POLICE SPECIAL SERVICE DISTRICT SPECIAL ORDERS - FINAL ADOPTION**

A quorum being present, the President called the Police Special Service District Council to order at 10:53 p.m.

Proposal No. 109, 1994 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

2 NOT VOTING: *Giffin, Gray*

1 NOT PRESENT: *Moriarty Adams*

Proposal No. 109, 1994 was retitled POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 1994 and reads as follows:

#### **POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 1994**

A POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE amending Police Special Service District Fiscal Ordinance No. 2, 1993 establishing a new salary schedule for civilian employees of the police special services district.

**BE IT ORDAINED BY THE POLICE SPECIAL SERVICE DISTRICT COUNCIL  
OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. Police Special Service District Fiscal Ordinance No. 2, 1993 is hereby amended by deleting the language stricken and adding the language underlined as follows:

May 23, 1994

Section 3. (a) The salaries, wages, and compensation of the various officers and employees of the Police Special District for the ensuing year are now fixed and approved as follows: (1) for all classified personnel of the Police Special Service District in accordance with schedule set forth in the Mayor's Executive Order No. 29, 1993~~4~~, and (ii) for all merit police officers in accordance with the applicable labor agreements approved by the Mayor. Such compensation shall not be increased without approval of the Council or as provided in such wage and salary classification ordinance as may from time to time be adopted for employees of the Police Special Service District.

(b) The respective amounts herein specified for personal services are hereby appropriated therefor; provided, however, that no person, official, or employee whose salary or compensation has been approved as part of the "Personal Services" appropriations in this ordinance, or any ordinance hereafter adopted, shall have any vested right to receive such amount, except as may be accrued, or otherwise provided by statute. Control as to any decrease shall be vested in the body or executive having direction over the one affected, as provided by law. Provided that, certain employees classified as "exempt" for the purposes of the Fair Labor Standards Act shall be salaried employees, and such salaries shall be paid on an annualized basis. Exempt salaried employees shall, however, be required to work a regularly scheduled 40-hour week. Provided further, that the compensation of employees classified as "non-exempt" for the purposes of the Act may fluctuate from pay period to pay period, in accordance with actual hours worked. Non-exempt employees shall also be required to work a regularly scheduled 40-hour week. Wages and hours of uniformed employees shall be determined in accordance with applicable provisions of the Fair Labor Standards Act.

SECTION 2. This ordinance shall be in effect from and after its passage by the Police Special Service District Council and compliance with IC 36-3-4-14.

### **FIRE SPECIAL SERVICE DISTRICT SPECIAL ORDERS - FINAL ADOPTION**

A quorum being present, the President called the Fire Special Service District Council to order at 10:53 p.m.

Proposal No. 110, 1994 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

2 NOT VOTING: *Giffin, Gray*

1 NOT PRESENT: *Moriarty Adams*

Proposal No. 110, 1994 was retitled FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 1994 and reads as follow:

#### **FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 1994**

A FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE amending Fire Special Service District Fiscal Ordinance No. 2, 1993 establishing a new salary schedule for bi-weekly civilian employees of the Fire Special Service District.

**BE IT ORDAINED BY THE FIRE SPECIAL SERVICE DISTRICT COUNCIL  
OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. Fire Special Service District Fiscal Ordinance No. 2, 1993 is hereby amended by deleting the language stricken-through and adding the language underlined as follows:

Section 3. (a) The salaries, wages, and compensation of the various officers and employees of the Fire Special Service District for the ensuing year are now fixed and approved as follows: (i) for all classified personnel of the Fire Special Service District in accordance with the schedule set forth in the Mayor's Executive Order No. 29, 1993~~4~~, and (ii) for all merit firefighters in accordance with the applicable labor agreements approved by the Mayor. Such compensation shall not be increased without approval of the Council or as provided in such wage and salary classification ordinance as may from time to time be adopted for employees of the Fire Special Service District.



(b) The respective amounts herein specified for personal services are hereby appropriated therefor; provided, however, that no person, official, or employee whose salary or compensation has been approved as part of the "Personal Services" appropriations in this ordinance, or any ordinance hereafter adopted, shall have any vested right to receive such amount, except as may be accrued, or otherwise provided by statute. Control as to any decrease shall be vested in the body or executive having direction over the one affected, as provided by law. Provided that, certain employees classified as "exempt" for the purposes of the Fair Labor Standards Act shall be salaried employees, and such salaries shall be paid on an annualized basis. Exempt salaried employees shall, however, be required to work a regularly scheduled 40-hour week. Provided further, that the compensation of employees classified as "non-exempt" for the purposes of the Act may fluctuate from pay period to pay period, in accordance with actual hours worked. Non-exempt employees shall also be required to work a regularly scheduled 40-hour week. Wages and hours of uniformed employees shall be determined in accordance with applicable provisions of the Fair Labor Standards Act.

SECTION 2. This ordinance shall be in effect from and after its passage by the Fire Special Service District Council and compliance with IC 36-3-4-14.

### **SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT SPECIAL ORDERS - FINAL ADOPTION**

A quorum being present, the President called the Solid Waste Collection Special Service District Council to order at 10:53 p.m.

Proposal No. 111, 1994 was adopted on the following roll call vote; viz:

*25 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, Williams*

*0 NAYS:*

*3 NOT VOTING: Giffin, Gray, West*

*1 NOT PRESENT: Moriarty Adams*

Proposal No. 111, 1994 was retitled **SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 1994** and reads as follows:

#### **SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 1994**

A **SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE** amending Solid Waste Collection Special Service District Fiscal Ordinance No. 2, 1993 establishing a new salary schedule for bi-weekly civilian employees of the Solid Waste Collection Special Service District.

#### **BE IT ORDAINED BY THE SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. Solid Waste Collection Special Service District Fiscal Ordinance No. 72, 1993 is hereby amended by deleting the language stricken-through and adding the language underlined as follows:

Section 2. The salaries, wages and compensation of the various officers and employees of the Solid Waste Collection Special District for the ensuing year as are hereby fixed and approved as follows: (i) for all classified personnel of the Solid Waste Collection Special Service District by the Solid Waste Collection Special Service District Council in accordance with the schedule set forth in the Mayor's Executive Order No. 29, 1993~~34~~, and (ii) for hourly employees on a bargaining unit shall be paid in accordance with the terms of the Master Agreement as approved by the Mayor.

Such compensation shall not be increased without approval of the Council or as provided in such wage and salary classification ordinance as may from time to time be adopted for employees of the Solid Waste Collection Special Service District, and the respective amounts herein specified for personal services are hereby appropriated therefor. Provided, however, that no person, official or employee whose salary or compensation has been approved as part of the "Personal Services" appropriations in this ordinance or any ordinance hereafter adopted shall have any vested

May 23, 1994

right to receive such amount, or any minimum amount, except as may be accrued, or otherwise provided by statute. Control as to any decrease shall be vested in the body or executive having direction over the one affected, as provided by law. Provided that, certain employees classified as "exempt" for the purposes of the Fair Labor Standards Act shall be salaried employees, and such salaries shall be paid on an annualized basis. Exempt salaried employees shall, however, be required to work a regularly scheduled 40-hour week. Provided further, that the compensation of employees classified as "non-exempt" for the purposes of the Act may fluctuate from pay period to pay period, in accordance with actual hours worked. Non-exempt employees shall also be required to work a regularly scheduled 40-hour week.

SECTION 2. This ordinance shall be in effect from and after its passage by the Solid Waste Collection Special Service District Council and compliance with IC 36-3-4-14.

## ANNOUNCEMENTS AND ADJOURNMENT

Mr. Elrod made the following announcement:

Mr. President:

This Council will hold a public hearing on Rezoning Petition No. 94-Z-35, Amended, Council Proposal No. 313, 1994, at its next regular meeting on June 13, 1994, such meeting to convene at 7:00 p.m. in these Council Chambers in the City-County Building in Indianapolis. This petition proposes to rezone 14.935 acres at 8010 North Shadeland Avenue from D-A to C-S to provide for development of a hardware/home improvement store.

Written objections that are filed with the Clerk of the Council shall be heard at such time, or the hearing may be continued from time to time as found necessary by the Council.

Councillor Ruhmkorff asked that everyone remember all the servicemen from all wars who gave their lives for the country, and also remember Jackie Kennedy.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:55 p.m.

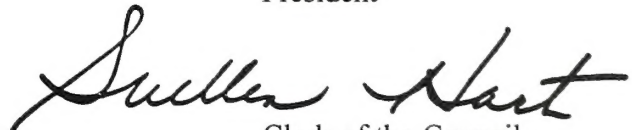
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 23rd day of May 1994.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Clerk of the Council

(SEAL)





**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, JUNE 13, 1994**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:05 p.m. on Monday, June 13, 1994, with Councillor SerVaas presiding.

Councillor Smith led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*28 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
*1 ABSENT: Jimison*

A quorum of twenty-eight members being present, the President called the meeting to order.

**OFFICIAL COMMUNICATIONS**

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers,



*Journal of the City-County Council*

on Monday, June 13, 1994, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Beurt SerVaas,  
President, City-County Council

May 24, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, May 26, 1994, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 300, 301, 302, 303, 304 and 307, 1994, to be held on Monday, June 13, 1994, at 7:00 p.m., in the City-County Building.

Respectfully,  
s/Suellen Hart  
Clerk of the City-County Council

\*\*Proposal No. 300, 1994 was reprinted on Friday, June 3, 1994 due to an error on the part of the Indianapolis News.

May 26, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Tuesday, May 31, 1994, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal No. 313, 1994, to be held on Monday, June 13, 1994, at 7:00 p.m., in the City-County Building.

Respectfully,  
s/Suellen Hart  
Clerk of the City-County Council

May 25, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances and resolutions:

GENERAL ORDINANCE NO. 76, 1994 - amending the Revised Code by making certain changes in the regulation of limousines and taxicabs

GENERAL ORDINANCE NO. 77, 1994 - amending the Code concerning payment of accrued compensatory time

GENERAL ORDINANCE NO. 78, 1994 - amending the Revised Code concerning the Marion County Information Services Board

GENERAL ORDINANCE NO. 79, 1994 - amending the Code by deleting one-way traffic flow on Pennsylvania Street between 30th Street and 28th Street; removing traffic signals at Pennsylvania Street and 30th Street and Pennsylvania Street and 29th Street; and authorizing no parking on Pennsylvania Street on the east side from 28th Street to 29th Street (District 22)

*June 13, 1994*

GENERAL ORDINANCE NO. 80, 1994 - concerning leave benefits for City-County employees

FISCAL ORDINANCE NO. 36, 1994 - appropriating \$3,850,509 for the Marion County Office of Family and Children to pay the expenses of wards in institutions

FISCAL ORDINANCE NO. 37, 1994 - appropriating \$73,650 for the Superior Court, Criminal Division, Probation Department, to utilize a federal grant to computerize the department

FISCAL ORDINANCE NO. 38, 1994 - appropriating \$24,550 for the Superior Court, Criminal Division, Probation Department, to provide the 25% matching funds necessary for the federal grant awarded to the department to be used solely for computerization

FISCAL ORDINANCE NO. 40, 1994 - approving a new salary schedule for bi-weekly civilian employees

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 1994 - approving a new salary schedule for bi-weekly employees of the Police Special Service District

FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 1994 - approving a new salary schedule for bi-weekly employees of the Fire Special Service District

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 1994 - approving a new salary schedule for bi-weekly employees of the Solid Waste Collection Special Service District

SPECIAL ORDINANCE NO. 8, 1994 - approving the issuance of (i) City of Indianapolis, Indiana, Health Care Facilities Revenue Refunding Bonds (FHA Insured Mortgage—Regency Place of Castleton) Health Quest Realty XXI Issue Series 1994A in an amount not to exceed \$4,500,000, and (ii) City of Indianapolis, Indiana, Health Care Facilities Taxable Revenue Bonds (FHA Insured Mortgage—Regency Place of Castleton) Health Quest Realty XXI Issue Series 1994B in an amount not to exceed \$400,000 to finance a skilled nursing home facility located at 5226 East 82nd Street

SPECIAL RESOLUTION NO. 39, 1994 - remembering Jacob M. "Jake" Greene

SPECIAL RESOLUTION NO. 40, 1994 - marking the 50th Anniversary of the June 6, 1944 Normandy Invasion

SPECIAL RESOLUTION NO. 41, 1994 - congratulating the Indiana Pacers

SPECIAL RESOLUTION NO. 43, 1994 - amending S.R. No. 78, 1993 by extending the expiration date on the Inducement Resolution through November 30, 1994 for Forest City Residential Development, Inc.

SPECIAL RESOLUTION NO. 45, 1994 - approving a public purpose grant in the amount of \$65,000 to Indiana University for the purpose of financing educational access cable television programming for Marion County

SPECIAL RESOLUTION NO. 46, 1994 - approving a salary administration plan for the City

Respectfully,  
s/Stephen Goldsmith, Mayor

### **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

### **APPROVAL OF JOURNALS**

President SerVaas called for additions or corrections to the Journal of May 23, 1994. There being no additions or corrections, the minutes were approved as distributed.

### **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 346, 1994. This proposal, sponsored by Councillors Hinkle and Jimison, concerns United Way's "Day of Caring." Councillor Hinkle read the resolution and presented a copy of the document to Dobbie Smith, Volunteer Chair, 1994 United Way of Central



Indiana "Day of Caring"; Irv Katz, President, United Way of Central Indiana; and Sue McCaffrey, Director of Public Policy, United Way of Central Indiana. Ms. Smith and Mr. Katz both expressed appreciation for the recognition. Councillor Hinkle moved, seconded by Councillor McClamroch, for adoption. Proposal No. 346, 1994 was adopted by unanimous voice vote.

Proposal No. 346, 1994 was retitled SPECIAL RESOLUTION NO. 42, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 42, 1994

A SPECIAL RESOLUTION concerning United Way's "Day of Caring."

WHEREAS, volunteerism is a strong tradition in the Indianapolis community and is essential to meet the needs of our most vulnerable citizens; and

WHEREAS, the United Way of Central Indiana exists as a conduit to link volunteer time and donated resources to those in need; and

WHEREAS, the United Way of Central Indiana supports 82 not-for-profit charitable organizations that provide essential health and human services to children and families in the Indianapolis community; and

WHEREAS, over 3,000 caring volunteers are needed to expand the 1994 "Day of Caring" to assist United Way agencies on Saturday, September 10, 1994, and Monday, September 12, 1994, with a variety of needed improvements which would otherwise be cost prohibitive, such as painting, landscaping, building play areas, helping children with disabilities and delivering meals; and

WHEREAS, United Way hopes to expand to more than 100 Central Indiana businesses that will generously donate some employees for a day so that they can volunteer for this year's Third Annual "Day of Caring;" now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council hereby recognizes the United Way of Central Indiana's "Day of Caring" as an important asset to the Indianapolis community, bringing volunteerism to new heights and furthering charitable efforts in our City.

SECTION 2. Councillors Hinkle and Jimison challenge each member of the City-County Council, Indianapolis city and county employees, businesses and all Indianapolis citizens to participate in the United Way's "Day of Caring" on Saturday, September 10, or Monday, September 12, 1994.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 312 and 327, 1994. The President ruled that these two board appointments would be voted on together. By unanimous voice votes, the Committees reported the proposals to the Council with the recommendation that they do pass. PROPOSAL NO. 312, 1994. The proposal appoints Richard Payne to the Audit Committee. PROPOSAL NO. 327, 1994. The proposal appoints Larry L. Tunget to the Board of Public Works. Proposal Nos. 312 and 327, 1994 were adopted by unanimous voice vote.

June 13, 1994

Proposal No. 312, 1994 was retitled COUNCIL RESOLUTION NO. 68, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 68, 1994

A COUNCIL RESOLUTION appointing Richard Payne to the Audit Committee.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Audit Committee, the Council appoints:

Richard Payne

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1997. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 327, 1994 was retitled COUNCIL RESOLUTION NO. 69, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 69, 1994

A COUNCIL RESOLUTION appointing Larry L. Tunget to the Board of Public Works.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Public Works, the Council appoints:

Larry L. Tunget

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 328, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Comprehensive Zoning Maps of Marion County by updating base maps #5, #12 and #25"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 329, 1994. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving the lease of Department of Parks and Recreation property commonly referred to as the Post Road Community Center"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 330, 1994. Introduced by Councillor Golc. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$99,630 from the unappropriated balance in the County General Fund for the Presiding Judge of the Municipal Court to upgrade staff and equipment in order to be included in the Superior Civil case rotation--this appropriation will cover the salaries of 3 part-time commissioners and 3 full-time court reporters and the purchase of 3 recording machines"; and the President referred it to the Public Safety and Criminal Justice Committee.



PROPOSAL NO. 331, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$866,054 from revenues anticipated from a grant from the Indiana Department of Corrections for Community Corrections to cover operational expenses for fiscal year 1994-95 from the State and Federal Grants Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 332, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$199,877 from revenues anticipated from a grant from the Indiana Department of Corrections for Community Corrections to continue the Craine House Family Living Program for fiscal year 1994-95 from the State and Federal Grants Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 333, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$73,927 from revenues anticipated from a grant from the Indiana Department of Corrections for Community Corrections to continue the Juvenile Intensive Probation Services program for fiscal year 1994-95 from the State and Federal Grants Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 334, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$42,000 from revenues anticipated from a grant from the Indiana Department of Corrections for Community Corrections to pay Project Courage's executive director's salary for fiscal year 1994-95 from the State and Federal Grants Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 335, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$180,221 from revenues from home detention user fees in the Home Detention User Fee Fund for Community Corrections to cover operational expenses for fiscal year 1994-95"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 336, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$4,000 in the Home Detention User Fee Fund for the County Auditor to pay personal services fringes for Community Corrections for the remainder of the fiscal year"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 337, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Northgate Street and Norwaldo Avenue (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 338, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a

multi-way stop at Coffman Road and 72nd Street (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 339, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at 57th Street and Guilford Avenue (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 340, 1994. Introduced by Councillor Ruhmkorff. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Whitty Lane and 14th Street (District 12)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 341, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a 30 minute parking restriction for College Avenue from 54th Street to a point 140 feet north of 54th Street (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 342, 1994. Introduced by Councillor Mullin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing parking restrictions for Shelby Street on the westside, from Cameron Avenue to McDougal Street (District 20)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 343, 1994. Introduced by Councillor Shambaugh. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by deleting parking restrictions on 16th Street from 185 feet west of Winton Street to 200 feet east of Winton Street (District 8)"; and the President referred it to the Capital Asset Management Committee.

[Clerk's Note: Proposal No. 344, 1994 was withdrawn.]

PROPOSAL NO. 345, 1994. Introduced by Councillors McClamroch, O'Dell, Rhodes and SerVaas. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION amending the 1994 schedule of regular council meetings"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 354, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION declaring the construction of the sixth and seventh floors to the Marion County Jail a necessity and directing the Indianapolis-Marion County Building Authority to proceed immediately with the financing and construction of the two additional floors to the Jail"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 355, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION amending the salary schedule for Marion County employees by adding a contingency range"; and the President referred it to the Administration and Finance Committee.



## **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NOS. 323 and 324, 1994. The President ruled that these two extensions would be voted on together. PROPOSAL NO. 323, 1994. The proposal amends S.R. No. 84, 1990, as amended, by extending the expiration date for Meadows Revival, Inc. through December 31, 1994 (38th and Meadows Drive, District 11). PROPOSAL NO. 324, 1994. The proposal amends S.R. 72, 1990, as amended, by extending the expiration date for Homeward Partners, Inc. through December 31, 1994 (various Regional Center sites, Districts 16 and 20). Councillor Borst reported that the Economic Development Committee heard Proposal Nos. 323 and 324, 1994 on June 1, 1994. By a 5-0-1 vote, the Committee reported the Proposal No. 323, 1994 to the Council with the recommendation that it do pass. By a 6-0 vote, the Committee reported the Proposal No. 324, 1994 to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Jones, for adoption. Proposal Nos. 323 and 324, 1994 were adopted by unanimous voice vote.

Proposal No. 323, 1994 was retitled SPECIAL RESOLUTION NO. 47, 1994 and reads as follows:

### **CITY-COUNTY SPECIAL RESOLUTION NO. 47, 1994**

A SPECIAL RESOLUTION amending City-County Special Resolution No. 84, 1990, as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 84, 1990, as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by Meadows Revival, Inc. (the "Company") which Inducement Resolution set an expiration date of June 30, 1994 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the city, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

### **BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of June 30, 1994, contained therein and replacing said date with the date of December 31, 1994.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 324, 1994 was retitled SPECIAL RESOLUTION NO. 48, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 48, 1994

A SPECIAL RESOLUTION amending City-County Special Resolution No. 72, 1990, as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 72, 1990, as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by Homeward Partners, Inc. (the "Company") which Inducement Resolution set an expiration date of June 30, 1994 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the city, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of June 30, 1994, contained therein and replacing said date with the date of July 31, 1994.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 325, 1994. Councillor Borst reported that the Economic Development Committee heard Proposal No. 325, 1994 on June 1, 1994. The proposal approves the execution of document amendments relating to the previously issued City of Indianapolis, Indiana Economic Development Refunding Revenue Bonds (Rand McNally & Company Project), Series 1989 (3131 North Franklin Road, District 12). Councillor Borst explained that the Economic Development Revenue Bonds were issued in 1985 to Rand-McNally to renovate and add equipment to their facility. In 1989 the bonds were refunded with a clause added that the bonds would be mandatorily redeemed rather than remain outstanding if the facility was ever closed. Rand-McNally now plans to cease operations at the facility and asks to amend the bond documents to eliminate the mandatory redemption requirement and to allow the bonds to remain outstanding. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Jones, for adoption.

Councillor Curry asked if the City is 100% assured that there will be no obligation on its part if Rand-McNally defaults. James T. Crawford, Jr., Counsel to the Indianapolis Economic Development Commission and Special Counsel to the City of Indianapolis, replied that these are revenue bonds and the City is not obligated to pay these bonds in the event the company



defaults. Councillor Curry asked if there is a letter of credit that will stand behind the payment of these bonds by Rand-McNally. Mr. Crawford responded in the affirmative.

Councillors Ruhmkorff, O'Dell and Gilmer voiced their opposition to this proposal.

Councillors Franklin and Short both stated that Rand-McNally has been a good corporate citizen and expressed their support of the proposal.

Proposal No. 325, 1994 was adopted on the following roll call vote; viz:

*21 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Golc, Gray, Jones, McClamroch, Mullin, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

*4 NAYS: Gilmer, Hinkle, O'Dell, Ruhmkorff*

*3 NOT VOTING: Black, Giffin, Moriarty Adams*

*1 NOT PRESENT: Jimison*

Proposal No. 325, 1994 was retitled SPECIAL ORDINANCE NO. 9, 1994 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 9, 1994

A SPECIAL ORDINANCE authorizing the execution and delivery of a First Supplemental Trust Indenture amending the Trust Indenture relating to the economic development refunding revenue bonds (Rand McNally & Company Project), Series 1989 of the City of Indianapolis, Indiana; authorizing the execution and delivery of a First Amendment to Loan Agreement and authorizing other related matters pertaining to said bonds.

WHEREAS, the City of Indianapolis, Indiana, a municipal corporation and political subdivision (the "Issuer"), acting by and through its City-County Council, authorized the execution and delivery of a Trust Indenture dated as of December 1, 1989 (the "Original Indenture"), between the Issuer and NBD Bank, N.A. (as successor to INB National Bank), as Trustee (the "Trustee"), to secure a series of Economic Development Refunding Revenue Bonds (Rand McNally & Company Project), Series 1989 of the Issuer (the "Bonds"); and

WHEREAS, all terms used herein and not otherwise defined herein shall have the meanings ascribed to them in the Original Indenture; and

WHEREAS, Rand McNally & Company (the "Company") desires to amend certain provisions of the Original Indenture and of the Loan Agreement dated as of December 1, 1989 (the "Original Agreement"), between the Company and the Issuer, to modify the redemption provisions with respect to the Bonds; and

WHEREAS, the Issuer is not aware of any default existing under the Original Indenture or under the Original Agreement; and

WHEREAS, the First Supplemental Trust Indenture dated as of June 1, 1994 (the "First Supplemental Indenture") between the Issuer and the Trustee, and the First Amendment to Loan Agreement dated as of June 1, 1994 (the "Amendment to Loan Agreement"), between the Company and the Issuer, in substantially final form, have been presented to and are before this meeting; and

WHEREAS, it is necessary and desirable to authorize the execution and delivery of the First Supplemental Indenture and the Amendment to Loan Agreement and to authorize the execution, authentication and delivery of amended Bonds to the Bondholder; NOW, THEREFORE:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF  
INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The form, terms and provisions of the First Supplemental Indenture in substantially the form submitted to this meeting are hereby approved, and the Mayor and the City Clerk of the Issuer are hereby authorized and directed to execute, acknowledge and deliver the First Supplemental Indenture on behalf of the

June 13, 1994

Issuer, with such changes therein as shall be approved by such officers, the execution of such document by such officers to constitute conclusive evidence of such approval, and the City Clerk of the Issuer is hereby authorized and directed to affix to the First Supplemental Indenture the official seal of the Issuer.

SECTION 2. The form, terms and provisions of the Amendment to Loan Agreement in substantially the form submitted to this meeting are hereby approved, and the Mayor and the City Clerk of the Issuer are hereby authorized and directed to execute, acknowledge and deliver the Amendment to Loan Agreement on behalf of the Issuer, with such changes therein as shall be approved by such officers, the execution of such document by such officers to constitute conclusive evidence of such approval, and the City Clerk of the Issuer is hereby authorized and directed to affix to the Amendment to Loan Agreement the official seal of the Issuer.

SECTION 3. The Mayor and the City Clerk of the Issuer are hereby authorized and directed to execute and deliver amended forms of the Bonds, in substantially the form set forth in the Original Indenture, as amended by the First Supplemental Indenture (the "Amended Bonds"), with necessary or appropriate variations, omissions and insertions as permitted or required by the Indenture, and to request and direct the Trustee to authenticate and deliver the Amended Bonds to the Bondholder upon surrender of the Bonds in their present form to the Trustee for cancellation. The Amended Bonds will be payable solely from the payments made by the Company pursuant to the Amendment to the Loan Agreement and as otherwise provided in the above described First Supplemental Indenture and shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

SECTION 4. The Mayor and the City Clerk of the Issuer are hereby empowered and directed to execute, acknowledge and deliver all documents and other instruments which may be required under the terms of the First Supplemental Indenture and this Special Ordinance, including, if the Remarketing Agent, First Chicago Capital Markets, Inc., Chicago, Illinois, deems necessary, a supplement to the Private Placement Memorandum, or any other necessary form of disclosure with respect to the Bonds, as amended.

SECTION 5. The changes which the Mayor and City Clerk of the Issuer may make to the First Supplemental Indenture, Amendment to Loan Agreement and the Amended Bonds may be, in accordance with Indiana Code 36-7-12-25(c), made without further approval of the Indianapolis Economic Development Commission or this City-County Council if such changes do not affect the matters set forth in Indiana Code 36-7-12-27(a)(1) through (a)(10). Additionally, the authorizations and directions contained herein for the Mayor and City Clerk of the Issuer to execute the documents referenced in Sections 1 through 4 of this Special Ordinance are conditioned upon obtaining any consents of other parties which may be required by the Original Indenture and the Original Agreement.

SECTION 6. The provisions of this Special Ordinance are hereby declared to be separable, and if any section, phrase or provision shall be for any reason declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions.

SECTION 7. That all ordinances, orders, resolutions and parts thereof in conflict herewith are hereby superseded to the extent of such conflict.

SECTION 8. This Special Ordinance shall be in full force and effect upon adoption and compliance with Indiana Code 36-3-4-14.

PROPOSAL NO. 326, 1994. Councillor Borst reported that the Economic Development Committee heard Proposal No. 326, 1994 on June 1, 1994. The proposal approves an inducement resolution for the Jewish Federation of Greater Indianapolis in an amount not to exceed \$9,000,000 for the acquisition, renovation, construction and equipping of the Jewish Federation's existing facilities [which are leased to the Jewish Community Center Association of Indianapolis, Incorporated (the "JCCA")] to create additional classrooms, storage, office facilities and new programming opportunities for early childhood education, infant/toddler care and youth programming, as well as renovation for compliance with the Americans with Disabilities Act and with environmental laws plus additional office facilities for the Jewish Federation (6701 Hoover Road, District 2). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Smith, for adoption. Proposal No. 326, 1994 was adopted on the following roll call vote; viz:



26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

2 NOT VOTING: *Giffin, Moriarty Adams*

1 NOT PRESENT: *Jimison*

Proposal No. 326, 1994 was retitled SPECIAL RESOLUTION NO. 49, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 49, 1994

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or directly owned by the company;

WHEREAS, the Jewish Federation of Greater Indianapolis, Inc. (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities consist of the acquisition, construction, renovation, installation and equipping of the Applicant's existing facilities located at 6701 Hoover Road, Indianapolis, Indiana [which are leased to the Jewish Community Center Association of Indianapolis, Incorporated (the "JCCA")] to create additional classrooms, storage, office facilities and new programming opportunities for early childhood education, infant/toddler care and youth programming, as well as certain renovation for compliance with the Americans with Disabilities Act and with environmental laws plus additional office facilities for the Applicant; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, renovation, construction and installation of various site improvements at the facility (the "Project");

WHEREAS, the diversification of industry and the retention of opportunities for gainful employment (sixteen (16) full-time plus twenty-three (23) part-time jobs at the end of one year and three years plus the creation of a construction job payroll for approximately one hundred sixty (160) temporary construction jobs over the renovation period) and the creation of business opportunities to be achieved by the acquisition, construction, renovation, installation and equipping of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, having received the advice of the Indianapolis Economic Development Commission, it would appear that the financing of the Project would be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, it appears at this time that the acquisition, construction, renovation, installation and equipping of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the retention and creation of opportunities for gainful employment within the jurisdiction of the Issuer, is desirable, serves a public purpose, and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the retention and creation of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed Nine Million Dollars (\$9,000,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, construction, renovation, installation and



equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, construction, renovation, installation and equipping of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, renovation, installation and equipping of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires December 31, 1994, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) if applicable, the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the date which is sixty (60) days prior to the adoption of this resolution, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the same purpose. Also certain indirect expenses incurred prior to such date will be permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (TD 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Section 1.150-2.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 347, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on June 10, 1994." The Council did not schedule Proposal No. 347, 1994 for hearing pursuant to IC 36-7-4-608. Proposal No. 347, 1994 was retitled REZONING ORDINANCE NO. 68, 1994 and is identified as follows:

REZONING ORDINANCE NO. 68, 1994. 94-Z-61 (Amended) LAWRENCE TOWNSHIP.  
COUNCILMANIC DISTRICT # 5.

7902 NORTH COUNTY LINE ROAD (approximate address), CITY OF LAWRENCE.

THOMPSON LAND COMPANY, INC., by Thomas Michael Quinn, requests the rezoning of 80 acres, being in the D-A District, to the D-4 classification to provide for residential development.

PROPOSAL NOS. 348-352, 1994. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on June 10, 1994." The Council did not schedule Proposal Nos. 348-352, 1994 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 348-352, 1994 were retitled REZONING ORDINANCE NOS. 69-73, 1994 and are identified as follows:



REZONING ORDINANCE NO. 69, 1994. 94-Z-81 PIKE TOWNSHIP.  
COUNCILMANIC DISTRICT # 1.

9192 WALDEMAR ROAD (approximate address), INDIANAPOLIS.  
RESORT CONDOMINIUMS INTERNATIONAL INC., by Philip A. Nicely, requests the rezoning of 1.1 acres, being in the D-2 District, to the C-2 classification to provide for construction of a day care center.

REZONING ORDINANCE NO. 70, 1994. 94-Z-83 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 17.

1505 WEST MORRIS STREET (approximate address), INDIANAPOLIS.  
MUNDY REALTY, INC., by Thomas Michael Quinn, requests the rezoning of 1.54 acres, being in the C-4, C-5, C-1 and D-5 Districts, to the C-3 classification to provide for commercial development.

REZONING ORDINANCE NO. 71, 1994. 94-Z-84 WARREN TOWNSHIP.  
COUNCILMANIC DISTRICT # 5.

9467 EAST 38TH STREET (approximate address), INDIANAPOLIS.  
BOBBY GENE MITCHELL and BETTY SCOGGAN, by Thomas Michael Quinn, request the rezoning of 9.7 acres, being in the D-4 District, to the SU-1 classification to provide for church use.

REZONING ORDINANCE NO. 72, 1994. 94-Z-87 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 25.

111 WEST RAYMOND STREET (approximate address), INDIANAPOLIS.  
JACK L. GREENE, by G. Thomas Blankenship, requests the rezoning of 2.63 acres, being in the I-2-S District, to the C-7 classification to provide for automotive and light truck repair and service.

REZONING ORDINANCE NO. 73, 1994. 94-Z-88 WASHINGTON TOWNSHIP.  
COUNCILMANIC DISTRICT # 3.

3131 EAST 96TH STREET (approximate address), INDIANAPOLIS.  
MARATHON OIL COMPANY, by Philip A. Nicely, requests the rezoning of 1.058 acres, being in the C-3 District, to the C-4 classification to provide for an existing gasoline service station with four bay service areas and an attached car wash.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 313, 1994. The proposal is a rezoning ordinance for Lawrence Township, Councilmanic District 4, 8010 North Shadeland Avenue (approximate address). Proposal No. 313, 1994 was certified by the Metropolitan Development Commission on May 20, 1994. On May 23, 1994 the Council voted to schedule a public hearing for June 13, 1994. The President reported that Robert G. Elrod, General Counsel, held a preliminary hearing with the respective attorneys for the petitioner and the remonstrators and that an agreement was reached; therefore, it is not necessary to have a public hearing on this matter. Proposal No. 313, 1994 was adopted by the following roll call vote; viz:

*26 YEAS: Beadling, Black, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

*1 NAY: Borst*

*1 NOT VOTING: Moriarty Adams*

*1 NOT PRESENT: Jimison*

Proposal No. 313, 1994 was retitled as REZONING ORDINANCE NO. 74 and is identified as follows:

REZONING ORDINANCE NO. 74, 1994 94-Z-35 (Amended) LAWRENCE TOWNSHIP.  
COUNCILMANIC DISTRICT # 4.  
8010 NORTH SHADELAND AVENUE (approximate address), INDIANAPOLIS.

June 13, 1994

LOWE'S HOME CENTERS, INC., by Thomas Michael Quinn, requests the rezoning of 14.935 acres, being in the D-A District, to the C-S classification to provide for development of a hardware/home improvement store.

PROPOSAL NO. 243, 1994. The proposal appropriates \$645,000 for the Sheriff to cover food expense for the jail inmates through the end of the year and to pay for inmate housing at the Riverside Community Corrections facility. Councillor Dowden asked for consent to postpone Proposal No. 243, 1994 until July 11, 1994. Consent was given.

PROPOSAL NO. 245, 1994. The proposal appropriates \$58,971 for Community Corrections to provide additional security to supervise an increased number of inmates being housed in the Community Corrections Center. Councillor Dowden asked for consent to postpone Proposal No. 245, 1994 until July 11, 1994. Consent was given.

PROPOSAL NO. 276, 1994. The proposal appropriates \$208,364 in the County General Fund for the County Coroner to (1) hire two additional full-time forensic pathologists and to retain a third for the purpose of performing postmortem examinations for Marion County and the surrounding counties, and (2) cover increased toxicology/histology costs. Councillor Rhodes moved, seconded by Councillor Short, to postpone Proposal No. 276, 1994 until June 27, 1994. This motion passed by unanimous voice vote.

PROPOSAL NO. 300, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 300, 1994 on June 6, 1994. The proposal transfers and appropriates \$2,768,358 for the Office of Youth and Family Services and appropriating \$10,962,505 for the Department of Administration, Workforce Development Division, to finance their 1994 budgets. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 7:53 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 300, 1994 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Golc*

1 NOT PRESENT: *Jimison*

Proposal No. 300, 1994 was retitled FISCAL ORDINANCE NO. 41, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 41, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Thirteen Million Seven Hundred Thirty Thousand Eight Hundred Sixty-three Dollars (\$13,730,863) in the Consolidated County Fund for purposes of the Office of Youth and Family Services and the Department of Administration, Workforce Development Division, and reducing certain other appropriations for the Office of Youth and Family Services in the Youth and Family Services Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:



SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Office of Youth and Family Services and of the Department of Administration, Workforce Development Division, to finance their 1994 budgets.

SECTION 2. The sum of Thirteen Million Seven Hundred Thirty Thousand Eight Hundred Sixty-three Dollars (\$13,730,863) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>OFFICE OF YOUTH AND FAMILY SERVICES</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	\$ 474,943
2. Supplies	8,700
3. Other Services and Charges	2,276,797
4. Capital Outlay	<u>7,918</u>
TOTAL INCREASE	\$ 2,768,358
<u>DEPARTMENT OF ADMINISTRATION WORKFORCE DEVELOPMENT DIVISION</u>	<u>WORKFORCE DEVELOPMENT FUND</u>
1. Personal Services	\$ 1,180,623
2. Supplies	2,900
3. Other Services and Charges	<u>9,778,982</u>
TOTAL INCREASE	\$10,962,505
GRAND TOTAL INCREASE	\$13,730,863

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>OFFICE OF YOUTH AND FAMILY SERVICES</u>	<u>YOUTH AND FAMILY SERVICES FUND</u>
1. Personal Services	\$ 1,655,566
2. Supplies	11,600
3. Other Services and Charges	12,055,779
4. Capital Outlay	<u>7,918</u>
TOTAL REDUCTION	\$13,730,863

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 301, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 301, 1994 on June 6, 1994. The proposal transfers and appropriates \$276,311 for the Office of the Controller, Revenue Enhancement Division, to finance its budget from July 1 through the end of the year and to purchase software and computer equipment. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Curry asked if a portion of this appropriation is new money. Councillor Rhodes answered in the affirmative.

Councillor Borst questioned what safeguards are in this system so that innocent people's accounts are not turned over to a collection agency. James H. Steele, Jr., City Controller, replied that it is incumbent upon the Revenue Enhancement Division to verify that the debts are delinquent.

The President called for public testimony at 8:07 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor Shambaugh, for adoption. Proposal No. 301, 1994 was adopted on the following roll call vote; viz:

June 13, 1994

24 YEAS: Beadling, Black, Boyd, Brents, Coughenour, Dowden, Franklin, Giffin, Gilmer, Golc, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

1 NAY: Curry

3 NOT VOTING: Borst, Gray, Hinkle

1 NOT PRESENT: Jimison

Proposal No. 301, 1994 was retitled FISCAL ORDINANCE NO. 42, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 42, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Two Hundred Seventy-six Thousand Three Hundred Eleven Dollars (\$276,311) in the Consolidated County Fund for purposes of the Office of the Controller, Revenue Enhancement Division, and reducing certain other appropriations for the Office of Corporation Counsel and Office of the Controller, and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Office of the Controller, Revenue Enhancement Division, to finance its budget from July 1 through the end of the year and to purchase software and computer equipment.

SECTION 2. The sum of Two Hundred Seventy-six Thousand Three Hundred Eleven Dollars (\$276,311) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>OFFICE OF THE CONTROLLER</u> <u>REVENUE ENHANCEMENT DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	\$ 88,911
2. Supplies	3,500
3. Other Services and Charges	161,900
4. Capital Outlay	<u>22,000</u>
TOTAL INCREASE	\$276,311

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>OFFICE OF CORPORATION COUNSEL</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	\$ 13,840
 <u>OFFICE OF THE CONTROLLER</u>	
1. Personal Services	75,071
2. Supplies	500
3. Other Services and Charges	17,900
Unappropriated and Unencumbered Consolidated County Fund	<u>169,000</u>
TOTAL REDUCTION	\$276,311

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 302, 1994. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 302, 1994 on May 31, 1994. The proposal transfers and appropriates \$645,060 for the Department of Metropolitan Development, Planning Division,



to fund federally-mandated transportation planning services, completion of neighborhood plans, implementation of economic development initiatives, and improvement of computer-aided systems and services. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:13 p.m. There being no one present to testify, Councillor West moved, seconded by Councillor Williams, for adoption. Proposal No. 302, 1994 was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Black, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

3 NOT VOTING: *Borst, Gray, Schneider*

1 NOT PRESENT: *Jimison*

Proposal No. 302, 1994 was retitled FISCAL ORDINANCE NO. 43, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 43, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Six Hundred Forty-five Thousand Sixty Dollars (\$645,060) in the Metropolitan Development General Fund for purposes of the Department of Metropolitan Development, Planning Division, and reducing certain other appropriations for that division, and reducing the unappropriated and unencumbered balance in the Metropolitan Development General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Department of Metropolitan Development, Planning Division, to fund federally-mandated transportation planning services, completion of neighborhood plans, implementation of economic development initiatives, and improvement of computer-aided systems and services.

SECTION 2. The sum of Six Hundred Forty-five Thousand Sixty Dollars (\$645,060) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

DEPARTMENT OF METROPOLITAN DEVELOPMENT	METROPOLITAN DEVELOPMENT
<u>PLANNING DIVISION</u>	<u>GENERAL FUND</u>
2. Supplies	\$ 18,484
3. Other Services and Charges	590,826
4. Capital Outlay	<u>35,750</u>
TOTAL INCREASE	\$645,060

SECTION 4. The said increased appropriation is funded by the following reductions:

DEPARTMENT OF METROPOLITAN DEVELOPMENT	METROPOLITAN DEVELOPMENT
<u>PLANNING DIVISION</u>	<u>GENERAL FUND</u>
1. Personal Services	\$ 68,314
Unappropriated and Unencumbered	
Metropolitan Development General Fund	<u>576,746</u>
TOTAL REDUCTION	\$645,060

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 303, 1994. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 303, 1994 on May 31, 1994. The proposal transfers and appropriates \$7,053,270 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to fund 1994 HOME and HOPE3 programs. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Schneider asked if the Department of Metropolitan Development (DMD) could give the Council a report as to what actually happens with these housing programs. Sherry Kohlmeier, Project Administrator, Housing and Development Services Division, DMD, stated that a quarterly and an annual report is prepared for Housing and Urban Development (HUD) concerning the number of projected and completed units, which she will make available to the Council Office.

The President called for public testimony at 8:20 p.m. There being no one present to testify, Councillor West moved, seconded by Councillor Smith, for adoption. Proposal No. 303, 1994 was adopted on the following roll call vote; viz:

19 YEAS: Black, Boyd, Brents, Coughenour, Curry, Franklin, Giffin, Gilmer, Golc, Jones, McClamroch, Mullin, Rhodes, Ruhmkorff, SerVaas, Short, Smith, West, Williams  
7 NAYS: Beadling, Borst, Dowden, Hinkle, O'Dell, Schneider, Shambaugh  
2 NOT VOTING: Gray, Moriarty Adams  
1 NOT PRESENT: Jimison

Proposal No. 303, 1994 was retitled FISCAL ORDINANCE NO. 44, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 44, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Seven Million Fifty-three Thousand Two Hundred Seventy Dollars (\$7,053,270) in the Redevelopment General Fund for purposes of the Department of Metropolitan Development, Neighborhood and Development Services Division, and reducing certain other appropriations for that division, and reducing the unappropriated and unencumbered balance in the Redevelopment General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development, Neighborhood and Development Services Division, to fund 1994 HOME and HOPE3 programs.

SECTION 2. The sum of Seven Million Fifty-three Thousand Two Hundred Seventy Dollars (\$7,053,270) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

DEPARTMENT OF METROPOLITAN DEVELOPMENT  
NEIGHBORHOOD AND DEVELOPMENT SERVICES DIVISION  
3. Other Services and Charges  
TOTAL INCREASE

REDEVELOPMENT  
GENERAL FUND  
\$7,053,270  
\$7,053,270

SECTION 4. The said increased appropriation is funded by the following reductions:



DEPARTMENT OF METROPOLITAN DEVELOPMENT  
NEIGHBORHOOD AND DEVELOPMENT SERVICES DIVISION

REDEVELOPMENT  
GENERAL FUND

4. Capital Outlay

\$ 375,000

Unappropriated and Unencumbered  
Redevelopment General Fund

6,678,270

TOTAL REDUCTION

\$7,053,270

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 304, 1994. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 304, 1994 on May 31, 1994. The proposal appropriates \$479,277 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to fund the Unsafe Building Program and a parking study in Broad Ripple Village. By a 4-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Williams said that she supports the funding for the Broad Ripple Village parking study, but will have to vote against this proposal because she is opposed to appropriating funds for the Unsafe Building Program.

The President called for public testimony at 8:27 p.m. There being no one present to testify, Councillor West moved, seconded by Councillor Gilmer, for adoption. Proposal No. 304, 1994 was adopted on the following roll call vote; viz:

*18 YEAS: Beadling, Brents, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, McClamroch, Moriarty Adams, Mullin, Rhodes, SerVaas, Shambaugh, Short, Smith, West*

*10 NAYS: Black, Borst, Boyd, Coughenour, Gray, Jones, O'Dell, Ruhmkorff, Schneider, Williams*

*1 NOT PRESENT: Jimison*

Proposal No. 304, 1994 was retitled FISCAL ORDINANCE NO. 45, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 45, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Four Hundred Seventy-nine Thousand Two Hundred Seventy-seven Dollars (\$479,277) in the Metropolitan Development General Fund for purposes of the Department of Metropolitan Development, Neighborhood and Development Services Division, and reducing the unappropriated and unencumbered balance in the Metropolitan Development General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Department of Metropolitan Development, Neighborhood and Development Services Division, to fund the Unsafe Building Program (\$473,277) and a parking study for Broad Ripple Village (\$6,000).

SECTION 2. The sum of Four Hundred Seventy-nine Thousand Two Hundred Seventy-seven Dollars (\$479,277) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

June 13, 1994

DEPARTMENT OF METROPOLITAN DEVELOPMENT  
NEIGHBORHOOD AND DEVELOPMENT SERVICES DIVISION

METROPOLITAN DEVELOPMENT  
GENERAL FUND

3. Other Services and Charges  
TOTAL INCREASE

\$479,277  
\$479,277

SECTION 4. The said additional appropriation is funded by the following reductions:

METROPOLITAN DEVELOPMENT  
GENERAL FUND

Unappropriated and Unencumbered  
Metropolitan Development General Fund  
TOTAL REDUCTION

\$479,277  
\$479,277

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 307, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 307, 1994 on May 25, 1994. The proposal appropriates \$37,595 for the Marion County Justice Agency to support the Indianapolis Challenge project, which involves coordinating comprehensive approaches to issues and problems concerning alcohol, tobacco and other drug abuse and the related violence in Marion County. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:30 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 307, 1994 was adopted on the following roll call vote; viz:

24 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Giffin, Golc, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
3 NAYS: *Black, Gilmer, Gray*  
1 NOT VOTING: *Dowden*  
1 NOT PRESENT: *Jimison*

Proposal No. 307, 1994 was retitled FISCAL ORDINANCE NO. 46, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 46, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Thirty-seven Thousand Five Hundred Ninety-five Dollars (\$37,595) in the Drug Free Community Fund for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the Drug Free Community Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (ee) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Marion County Justice Agency to support the Indianapolis Challenge project, which involves coordinating comprehensive approaches to issues and problems concerning alcohol, tobacco and other drug abuse and the related violence in Marion County.

SECTION 2. The sum of Thirty-seven Thousand Five Hundred Ninety-five Dollars (\$37,595) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:



MARION COUNTY JUSTICE AGENCY

1. Personal Services
2. Supplies
3. Other Services and Charges
4. Capital Outlay

DRUG FREE COMMUNITY FUND

\$16,438  
2,050  
14,787  
720

COUNTY AUDITOR

1. Personal Services - fringes

3,600

TOTAL INCREASE

\$37,595

SECTION 4. The said additional appropriation is funded by the following reductions:

DRUG FREE COMMUNITY FUND

Unappropriated and Unencumbered

Drug Free Community Fund

TOTAL REDUCTION

\$37,595

\$37,595

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**SPECIAL ORDERS - UNFINISHED BUSINESS**

PROPOSAL NOS. 153 and 154, 1994. PROPOSAL NO. 153, 1994. The proposal appropriates \$98,296 for the Superior Court, Juvenile Division/Detention Center, to pay the first year of a three year lease/purchase arrangement with the Indiana Bond Bank for a computer upgrade. PROPOSAL NO. 154, 1994. The proposal appropriates \$24,091 for the Superior Court, Juvenile Division/Detention Center, to cover service charges on computers and to purchase one modem for the court. Councillor McClamroch asked for consent to return Proposal Nos. 153 and 154, 1994 to Committee. Consent was given.

PROPOSAL NO. 162, 1994. The proposal designates the east and west wings of the City-County Building for court facilities and approves securing those wings from unauthorized access. The President asked for consent to return Proposal No. 162, 1994 to Committee. Consent was given.

**SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 214, 1994. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 214, 1994 on June 2, 1994. The proposal amends the Code concerning environmental public nuisances. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Coughenour stated that due to unanswered questions on some of the amendments to Proposal No. 214, 1994, and after conferring with the General Counsel, she moved to divide Proposal No. 214, 1994 by separating the increases in abatement fees into a separate proposal to be numbered Proposal No. 353, 1994, as attached hereto, and to recommit the balance of Proposal No. 214, 1994 to the Public Works Committee for further public hearing. The President asked for consent on Councillor Coughenour's motion. Consent was given.

PROPOSAL No. 353, 1994. The proposal amends Sec. 30½-7 of the Code of Indianapolis and Marion County concerning abatement costs of environmental public nuisances. Councillor Coughenour reported that the Committee recommends do pass on this portion of Proposal No. 214, 1994.

June 13, 1994

The President suggested that the Committee consider amending the Code so that DPW does not have to come back to Council to increase its fees due to the abatement of environmental public nuisances. Councillor Gilmer proposed that the Public Works Board be responsible for revising the charges.

Councillor Coughenour moved, seconded by Councillor Hinkle, for adoption. Proposal No. 353, 1994 was adopted on the following roll call vote; viz:

22 YEAS: Black, Borst, Boyd, Brents, Coughenour, Dowden, Franklin, Giffin, Gilmer, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Ruhmkorff, Schneider, Shambaugh, Smith, West, Williams  
4 NAYS: Beadling, Curry, Golc, Short  
2 NOT VOTING: Rhodes, SerVaas  
1 NOT PRESENT: Jimison

Proposal No. 353, 1994 was retitled GENERAL ORDINANCE NO. 81, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 81, 1994

A GENERAL ORDINANCE amending Sec. 30½-7 of the Code of Indianapolis and Marion County concerning abatement costs of environmental public nuisances.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sec. 30½-7 of the Code of Indianapolis and Marion County be, and is hereby, amended to read as follows:

Sec. 30½-7. Failure to abate after notice; abatement by city.

(a) *Abatement by city.* If, upon reinspection, it is determined by the authorized employee that abatement has not occurred, then the director of the department of public works, or his designee, may enter upon the premises and abate the environmental public nuisance. The occupant or owner shall be liable for the costs of abatement. After abatement is completed, the department of public works shall, either by personal service or first class United States mail, postage prepaid, send the occupant or owner a bill for the costs of abatement.

(b) *Responsibility of Occupant or Owner for Costs of Abatement.*

(1) *Abatement costs.* As reimbursement to the department of public works for its costs the owner or occupant shall, within ten (10) days of the date of the bill, pay to the department of public works of the city the following fees and charges:

a. The following administrative fees for such administrative tasks as inspecting the property to determine compliance, determining ownership and preparing and mailing notices:

Administrative fees \$140.00

b. The following labor fees per person, per hour, or fraction thereof, for labor necessary to abate an environmental nuisance:

Laborer	\$18.00	23.50
Light equipment operator	20.50	
Truck driver	20.50	24.25
Medium equipment operator		21.50
Heavy equipment operator	23.50	26.00
Crew leader	24.50	27.25



- c. The following equipment fees per machine, per hour, or fraction thereof, for the use of the each piece of equipment necessary to abate an environmental nuisance:

Pick-up truck	<del>\$4.25</del>	4.50
Tractor/bush hog	<del>8.50</del>	9.25
Boom truck	<del>16.50</del>	18.00
Backhoe	<del>15.50</del>	17.00
Dump truck (single axle)	<del>17.50</del>	19.00
Dump truck (tandem axle)	<del>19.50</del>	21.25
Packer <del>15.75</del>	<del>17.25</del>	
Excavator	<del>29.00</del>	31.50
Dozer (small)	<del>18.50</del>	20.25
Dozer (large)	<del>27.50</del>	30.00
Loader <del>19.25</del>	<del>21.00</del>	
Bobcat or equivalent	<del>13.50</del>	14.75

- d. Any ~~landfilling~~ disposal fees actually incurred to dispose of litter and waste products removed;
- e. Any other reasonable fees actually incurred in abating an environmental nuisance.
- (2) *[Hearing]*. An owner or occupant may request in writing an informal hearing before the director of the department of public works, or his designee, to dispute the existence of a violation and/or the accuracy of all or part of the costs of abatement billed. Upon receipt of a hearing request, the department shall not take abatement action until after the director or his designee notifies the property owner of his decision. After such hearing, the director of the department of public works, or his designee, shall determine the existence of a violation and/or the accuracy of all or part of the abatement costs billed and shall notify the property owner or occupant of any amounts due to the department. The decision of the director, or his designee, shall be final.
- (3) *Unpaid costs become lien upon affected property; perfecting of lien*. Upon the failure of the owner who was sent a notice of violation and bill to pay the appropriate fees and charges within the ten-day time period, the department of public works of the city shall have a lien upon the property on which the environmental public nuisance was abated for the amount billed in accordance with the fee schedule listed above. In addition, there will be a ten dollar (\$10.00) charge for services necessary in order to perfect such lien. Such liens may be perfected in the following manner:
- By the adoption by the board of public works at any regular or special meeting thereof of an assessment resolution, which shall give the name of the owner or owners, a description of the property on which the environmental public nuisance was abated, and the amount of the charges being assessed; and
  - The certification of such assessment resolution to the auditor of Marion County, who by special assessment shall cause the amount thereof to be placed on a tax duplicate for the property on which the environmental public nuisance was abated for collection as in the nature of a real property tax.
  - Upon receipt of a written verified request from the purchaser, the department shall release liens perfected after the recorded date of conveyance of the property. The request must state that the purchaser was not an owner or occupant of the property at the time of the notice of violation, had no knowledge of the notice of violation and has not been paid by the seller for the costs of abatement billed.
- (4) *Civil action to recover costs of abatement*. Upon the failure of the occupant or owner who was sent the notice of violation and bill to pay the appropriate fees and charges within the ten-day period, the department of public works may bring a civil action in court against such occupant or owner to recover the amount billed, plus reasonable attorney's fees.

SECTION 2. The expressed or implied repeal or amendment by this ordinance or any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

June 13, 1994

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Coughenour announced that Title V Air Pollution Regulations will go into effect on June 28, 1994. Any Councillor who has any questions on these regulations should direct them to her or to Michael Stayton, Director of DPW, so they can be answered before the June 27, 1994 Council meeting.

PROPOSAL NO. 240, 1994. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 240, 1994 on June 7, 1994. The proposal, sponsored by Councillor Rhodes, amends the council rules concerning proposals for fiscal ordinances. By a 4-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Curry moved, seconded by Councillor Rhodes, for adoption. Proposal No. 240, 1994, as amended, was adopted on the following roll call vote; viz:

20 YEAS: *Beadling, Borst, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Hinkle, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith, West*

8 NAYS: *Black, Boyd, Brents, Golc, Gray, Jones, Short, Williams*

1 NOT PRESENT: *Jimison*

Proposal No. 240, 1994, as amended, was retitled GENERAL ORDINANCE NO. 82, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 82, 1994

A GENERAL ORDINANCE amending the council rules concerning proposals for fiscal ordinances.

WHEREAS, during the mid-1970's, City-County Councillor Jack Patterson devised a statement concerning non-local tax funds that for several years thereafter was added to all council fiscal ordinances that involved non-local tax revenues; and

WHEREAS, the statement became known as the "Patterson Amendment"; and

WHEREAS, the statement is as follows:

This city-county council has no intention of supplementing or financing the agency and/or projects approved herein by use of revenues from any local tax regardless of source. At anytime that knowledge is received that the state or federal financing of this agency or project is, or will be, reduced or eliminated, the supervisor, or the auditor or controller, or both are directed to notify the city-county council in writing of such proposed loss of revenue; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Rules of the City-County Council, Chapter 151 of the Revised Code of the Consolidated City and County, be and is hereby amended, by inserting the language underlined in Sec. 151-64, to read as follows:

Sec. 151-64. Fiscal ordinances.

(a) No proposal for a fiscal ordinance shall be initiated unless approved by the proper fiscal officer of the city or county or unless that officer has been notified by the clerk of its receipt at least seven (7) days before introduction. Any proposal for a fiscal ordinance appropriating or transferring funds shall not be approved for introduction if any of the financial data or reports required by this Code are delinquent as to a fund which is the subject of such proposal.

(b) Any proposal for a fiscal ordinance (except the annual budgets) which appropriate the proceeds of any state, federal or private grant shall include substantially the following language:



Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor or controller, are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

(c) The digest of any proposal for a fiscal ordinance shall identify the fund appropriated including a statement of the revenue source for the appropriation.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 305, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 305, 1994 on May 25, 1994. The proposal transfers and appropriates \$400 for the Superior Court, Title IV-D Court, to purchase an IRMA Board, and repealing Fiscal Ordinance No. 33, 1994. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 305, 1994 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jones, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
0 NAYS:  
2 NOT VOTING: *Gray, McClamroch*  
1 NOT PRESENT: *Jimison*

Proposal No. 305, 1994 was retitled FISCAL ORDINANCE NO. 47, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 47, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Four Hundred Dollars (\$400) in the County General Fund for purposes of the Superior Court, Title IV-D Court, and reducing certain other appropriations for that court, and repealing Fiscal Ordinance No. 33, 1994.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. City-County Fiscal Ordinance No. 33, 1994, having transferred appropriations between the wrong accounts, is hereby repealed.

SECTION 2. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (vv) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Title IV-D Court, to purchase an IRMA Board.

SECTION 3. The sum of Four Hundred Dollars (\$400) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 4. The following increased appropriation is hereby approved:

<u>SUPERIOR COURT, TITLE IV-D COURT</u>	<u>COUNTY GENERAL FUND</u>
4. Capital Outlay	\$400
TOTAL INCREASE	\$400

SECTION 5. The said increased appropriation is funded by the following reductions:

June 13, 1994

SUPERIOR COURT, TITLE IV-D COURT

2. Supplies  
TOTAL REDUCTION

COUNTY GENERAL FUND

\$400  
\$400

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 306, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 306, 1994 on May 25, 1994. The proposal, sponsored by Councillor Golc, transfers and appropriates \$2,821 for the Marion County Drug Court to purchase five computer terminals. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Golc, for adoption. Proposal No. 306, 1994 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT PRESENT: *Jimison*

Proposal No. 306, 1994 was retitled FISCAL ORDINANCE NO. 48, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 48, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Two Thousand Eight Hundred Twenty-one Dollars (\$2,821) in the County General Fund for purposes of the Marion County Drug Court and reducing certain other appropriations for that court.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (ww) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Marion County Drug Court to purchase five computer terminals.

SECTION 2. The sum of Two Thousand Eight Hundred Twenty-one Dollars (\$2,821) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

MARION COUNTY DRUG COURT

4. Capital Outlay  
TOTAL INCREASE

COUNTY GENERAL FUND

\$2,821  
\$2,821

SECTION 4. The said increased appropriation is funded by the following reductions:

MARION COUNTY DRUG COURT

3. Other Services and Charges  
TOTAL REDUCTION

COUNTY GENERAL FUND

\$2,821  
\$2,821

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.



## ANNOUNCEMENTS AND ADJOURNMENT

Councillor Boyd stated that he has been asked to offer the following motions for adjournment by:

- (1) Councillors SerVaas, McClamroch and himself in memory of Dortha M. "Toni" Eakin,
- (2) Councillors Shambaugh and Hinkle in memory of Janet S. Kendall,
- (3) Councillor Beadling in memory of Patrick T. Moriarty, and
- (4) Councillor Beadling in memory of G. R. Dick-Baker.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Dortha M. "Toni" Eakin, Janet S. Kendall, Patrick T. Moriarty and G. R. Dick-Baker. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:53 p.m.

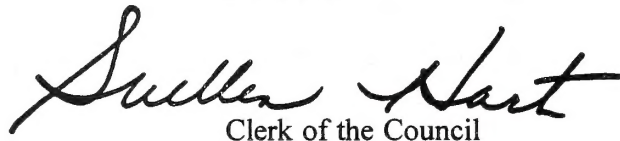
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 13th day of June, 1994.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Clerk of the Council

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, JUNE 27, 1994**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:08 p.m. on Monday, June 27, 1994, with Councillor SerVaas presiding.

Councillor Brents led the opening prayer and invited all present to join her in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*29 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

A quorum of twenty-nine members being present, the President called the meeting to order.

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor West introduced his wife Phyllis West, his mother-in-law Evylyn McRoberts, and his wife's uncle Jack Goad. Councillor Hinkle recognized Pam Sheads, President of the Mount Auburn Neighborhood Association and a member of the Board of Directors of the Marion County Alliance of Neighborhood Associations (MCANA).

**OFFICIAL COMMUNICATIONS**

The President called for the reading of Official Communications. The Clerk read the following:



*Journal of the City-County Council*

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, June 27, 1994, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Beurt SerVaas  
President, City-County Council

June 13, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, June 16, 1994, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 330, 331, 332, 333, 334 and 335, 1994, to be held on Monday, June 27, 1994, at 7:00 p.m., in the City-County Building.

Respectfully,  
s/Suellen Hart  
Clerk of the City-County Council

June 15, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances and resolutions:

GENERAL ORDINANCE NO. 81, 1994 - amending Sec. 30½-7 of the Code of Indianapolis and Marion County concerning abatement costs of environmental public nuisances

GENERAL ORDINANCE NO. 82, 1994 - amending the council rules concerning proposals for fiscal ordinances

FISCAL ORDINANCE NO. 41, 1994 - transferring and appropriating \$2,768,358 for the Office of Youth and Family Services and appropriating \$10,962,505 for the Department of Administration, Workforce Development Division, to finance their 1994 budgets

FISCAL ORDINANCE NO. 42, 1994 - transferring and appropriating \$276,311 for the Office of the Controller, Revenue Enhancement Division, to finance its budget from July 1 through the end of the year and to purchase software and computer equipment

FISCAL ORDINANCE NO. 43, 1994 - transferring and appropriating \$645,060 for the Department of Metropolitan Development, Planning Division, to fund federally-mandated transportation planning services, completion of neighborhood plans, implementation of economic development initiatives, and improvement of computer-aided systems and services

FISCAL ORDINANCE NO. 44, 1994 - transferring and appropriating \$7,053,270 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to fund 1994 HOME and HOPE3 programs

FISCAL ORDINANCE NO. 45, 1994 - appropriating \$479,277 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to fund the Unsafe Building Program and a parking study in Broad Ripple Village

June 27, 1994

FISCAL ORDINANCE NO. 46, 1994 - appropriating \$37,595 for the Marion County Justice Agency to support the Indianapolis Challenge project, which involves coordinating comprehensive approaches to issues and problems concerning alcohol, tobacco and other drug abuse and the related violence in Marion County

FISCAL ORDINANCE NO. 48, 1994 - transferring and appropriating \$2,821 for the Marion County Drug Court to purchase five computer terminals

SPECIAL ORDINANCE NO. 9, 1994 - approving the execution of document amendments relating to the previously issued City of Indianapolis, Indiana Economic Development Refunding Revenue Bonds (Rand McNally & Company Project), Series 1989 (3131 North Franklin Road, District 12)

SPECIAL RESOLUTION NO. 42, 1994 - concerning United Way's "Day of Caring"

SPECIAL RESOLUTION NO. 47, 1994 - amending S.R. No. 84, 1990, as amended, by extending the expiration date for Meadows Revival, Inc. through December 31, 1994 (38th and Meadows Drive, District 11)

SPECIAL RESOLUTION NO. 48, 1994 - amending S.R. 72, 1990, as amended, by extending the expiration date for Homeward Partners, Inc. through December 31, 1994 (various Regional Center sites, Districts 16 and 20)

SPECIAL RESOLUTION NO. 49, 1994 - approving an inducement resolution for the Jewish Federation of Greater Indianapolis in an amount not to exceed \$9,000,000 for the acquisition, renovation, construction and equipping of the Jewish Federation's existing facilities [which are leased to the Jewish Community Center Association of Indianapolis, Incorporated (the "JCCA")] to create additional classrooms, storage, office facilities and new programming opportunities for early childhood education, infant/toddler care and youth programming, as well as renovation for compliance with the Americans with Disabilities Act and with environmental laws plus additional office facilities for the Jewish Federation (6701 Hoover Road, District 2)

Respectfully,  
s/Stephen Goldsmith, Mayor

### **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

### **APPROVAL OF JOURNALS**

President SerVaas called for additions or corrections to the Journal of June 13, 1994. There being no additions or corrections, the minutes were approved as distributed.

### **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 705, 1993. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 705, 1993 on June 20, 1994. The proposal reappoints Jack H. Hall, M.D. to the Metropolitan Development Commission. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Gilmer, for adoption. Proposal No. 705, 1993 was adopted by a unanimous voice vote.

Proposal No. 705, 1993 was retitled COUNCIL RESOLUTION NO. 70, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 70, 1994

A COUNCIL RESOLUTION reappointing Jack H. Hall, M.D. to the Metropolitan Development Commission.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:



SECTION 1. As a member of the Metropolitan Development Commission, the Council appoints:

Jack H. Hall, M.D.

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

## **INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 344, 1994. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a change in the speed limit on Post Road from I-74 to Northeastern Avenue (Districts 13, 23)"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 356, 1994. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to cover one part-time employee salary, IMAGIS update, and office rearrangement expenses for the Lawrence Township Assessor from the Property Reassessment Fund in the amount of \$22,000 financed by unappropriated property tax revenues of the Property Reassessment Fund"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 357, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishes the 'HUD Section 8 Special Revenue Fund'"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 358, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to operate the Marion County Section Eight Subsidy Program by making the Housing Assistance Payments for eligible Section Eight families and paying the administrative expenses associated with the program for the Department of Metropolitan Development, Public Housing Division, from the HUD Section 8 Special Revenue Fund in the amount of \$11,416,185 financed by revenues from the HUD Section Eight Subsidy Grant"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 359, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to support the Low Income Public Housing Program which covers salaries, materials, and utility expenses for the rehabilitation of the vacant units located at various locations for the Department of Metropolitan Development, Public Housing Division, from the Indianapolis Housing Authority Fund in the amount of \$1,471,147 financed by additional HUD contributions"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 360, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving the disbursement of \$3,290,000 of Community Development Block Grant Funds"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 361, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE recodifying and amending



the Code, Article II, Administration and Enforcement, Chapter 8, Buildings and Construction"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 362, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to hire a deputy prosecutor to prosecute drunk driving cases and develop a new sentencing program for the Prosecuting Attorney from the County Drug Free Community Fund in the amount of \$36,750 financed by Drug Free Community Fees"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 363, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to establish the Marion County Traffic Safety Partnership which will fund drunk driving law enforcement activities, including roadblocks, saturation patrols and public awareness for the Prosecuting Attorney from the State and Federal Grants Fund in the amount of \$110,000 financed by a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 364, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to provide Adult Protective Services for fiscal year 1994-95 for the Prosecuting Attorney from the State and Federal Grants Fund in the amount of \$88,770 financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

[Clerk's Note: Proposal No. 365, 1994 was withdrawn.]

PROPOSAL NO. 366, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$4,000 for the Superior Court, Juvenile Division/Detention Center, to purchase strategic planning supplies"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 367, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$55,000 from the Public Defender Agency to the Clerk of the Circuit Court to make payments for psychiatric services and pro se post conviction relief transcripts"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 368, 1994. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending Sec. 151-64 of the Revised Code amending the rules of the city-county council with respect to staff review of fiscal ordinances"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 369, 1994. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE electing to fund the operation of MECA in part with revenue of two million dollars from the County Option Income Tax"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 370, 1994. Introduced by Councillors McClamroch, Dowden, Franklin, Golc, Gray, SerVaas and Smith. The Clerk read the proposal entitled: "A Proposal for a



SPECIAL RESOLUTION authorizing and requesting the Indianapolis-Marion County Building Authority to proceed to secure portions of the City-County Building used by courts"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 371, 1994. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Broadway Street and 24th Street and at Carrollton Avenue and 24th Street (District 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 372, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Isaac Randolph to the Metropolitan Board of Zoning Appeals II"; and the President referred it to the Metropolitan Development Committee.

### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NOS. 373-374, 1994. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on June 24, 1994." The Council did not schedule Proposal Nos. 373-374, 1994 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 373-374, 1994 were retitled REZONING ORDINANCE NOS. 75-76, 1994 and are identified as follows:

REZONING ORDINANCE NO. 75, 1994. 94-Z-40 WARREN TOWNSHIP.  
COUNCILMANIC DISTRICT # 12.

7604 EAST 10TH STREET (approximate address), INDIANAPOLIS.

WAYNE A. SMITH (WARREN TOWNSHIP FIRE DEPARTMENT) requests the rezoning of 1.42 acres, being in the D-A District, to the SU-9 classification to conform zoning to the existing use.

REZONING ORDINANCE NO. 76, 1994. 94-Z-50 PERRY TOWNSHIP.  
COUNCILMANIC DISTRICT # 20.

7151 SOUTH MADISON AVENUE (approximate address), INDIANAPOLIS.

ROBIN M. THOMAN requests the rezoning of 0.75 acre, being in the D-4 District, to the C-3 classification to provide for commercial development.

PROPOSAL NOS. 375-376, 1994. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on June 24, 1994." The Council did not schedule Proposal Nos. 375-376, 1994 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 375-376, 1994 were retitled REZONING ORDINANCE NOS. 77-78, 1994 and are identified as follows:

REZONING ORDINANCE NO. 77, 1994. 94-Z-61 (Amended) LAWRENCE TOWNSHIP.  
COUNCILMANIC DISTRICT # 5.

7902 NORTH COUNTY LINE ROAD (approximate address), CITY OF LAWRENCE.

THOMPSON LAND COMPANY, INC., by Thomas Michael Quinn, requests the rezoning of 80 acres, being in the D-A District, to the D-3 classification to provide for residential development.

REZONING ORDINANCE NO. 78, 1994. 94-Z-67 LAWRENCE TOWNSHIP.  
COUNCILMANIC DISTRICT # 5.

10308 EAST 59TH STREET (approximate address), CITY OF LAWRENCE.

SCM REAL ESTATE DEVELOPMENT CORPORATION, by Thomas Michael Quinn, requests the rezoning of 31.482 acres, being in the D-7 District, to the D-5 classification to provide for single-family residential development.

June 27, 1994

PROPOSAL NO. 377, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on June 24, 1994." The Council did not schedule Proposal No. 377, 1994 for hearing pursuant to IC 36-7-4-608. Proposal No. 377, 1994 was retitled REZONING ORDINANCE NO. 79, 1994 and is identified as follows:

REZONING ORDINANCE NO. 79, 1994. 94-Z-74 WASHINGTON TOWNSHIP.  
COUNCILMANIC DISTRICT # 3.  
8875 HAVERSTICK ROAD (approximate address), INDIANAPOLIS.  
GLEN and JOHN HAGUE, by Mitch Sever, request the rezoning of 39.9 acres, being in the D-A District, to the SU-10 classification to provide for a cemetery.

PROPOSAL NOS. 378-382, 1994. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on June 24, 1994." The Council did not schedule Proposal Nos. 378-382, 1994 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 378-382, 1994 were retitled REZONING ORDINANCE NOS. 80-84, 1994 and are identified as follows:

REZONING ORDINANCE NO. 80, 1994. 94-Z-89 (94-DP-3) WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 18.  
6220 ROCKVILLE ROAD (approximate address), INDIANAPOLIS.  
DEAVERS AND ASSOCIATES, INC., R. Edward Williams Jr., requests the rezoning of 13.13 acres, being in the D-3 District, to the D-P classification to provide for attached single-family residential development.

REZONING ORDINANCE NO. 81, 1994. 94-Z-39 WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 18.  
8225-8235 CRAWFORDSVILLE ROAD (approximate address), INDIANAPOLIS.  
JIMMIE M. CATT and INDIANAPOLIS POWER AND LIGHT COMPANY, by Michael J. Kias, request the rezoning of 2.78 acres, being in the D-A and SU-18 Districts, to the C-4 classification to provide for commercial development.

REZONING ORDINANCE NO. 82, 1994. 94-Z-79 PERRY TOWNSHIP.  
COUNCILMANIC DISTRICT # 24.  
6130 GRAY ROAD (approximate address), INDIANAPOLIS.  
DON STAFFORD, by Donald M. Meyer, requests the rezoning of 8.058 acres, being in the D-A District, to the D-4 classification to provide for the construction of a single-family residential subdivision.

REZONING ORDINANCE NO. 83, 1994. 94-Z-92 WARREN TOWNSHIP.  
COUNCILMANIC DISTRICT # 5.  
9041 EAST 30TH STREET (approximate address), INDIANAPOLIS.  
CALVARY TEMPLE ASSEMBLY OF GOD, INC., by Robert L. Trierweiler, requests the rezoning of 0.758 acre, being in the C-3 District, to the SU-1 classification to provide for the construction of a paved parking lot for an existing church.

REZONING ORDINANCE NO. 84, 1994. 94-Z-94 WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 18.  
5315 ROCKVILLE ROAD (approximate address), INDIANAPOLIS.  
21ST AMENDMENT, INC., by Philip A. Nicely, requests the rezoning of 0.49 acre, being in the SU-1 District, to the C-4 classification to provide for commercial re-use of an existing building.

PROPOSAL NO. 383, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on June 27, 1994." The Council did not schedule Proposal No. 383, 1994 for hearing pursuant to IC 36-7-4-608. Proposal No. 383, 1994 was retitled REZONING ORDINANCE NO. 85, 1994 and is identified as follows:

REZONING ORDINANCE NO. 383, 1994. 94-Z-42 PIKE TOWNSHIP.  
COUNCILMANIC DISTRICT # 2.



7879 MICHIGAN ROAD (approximate address), INDIANAPOLIS.

R. H. MARLIN, INC., Robert F. Glass and Marjorie G. Conley, by Steven C. Robinson, request the rezoning of 1.72 acres, being in the D-5 District, to the C-3 classification to provide for the development of a retail shopping center.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 276, 1994. The proposal appropriates \$208,364 in the County General Fund for the County Coroner to (1) hire two additional full-time forensic pathologists and to retain a third for the purpose of performing postmortem examinations for Marion County and the surrounding counties, and (2) cover increased toxicology/histology costs. Councillor Rhodes asked for consent to postpone Proposal No. 276, 1994 until July 11, 1994. Consent was given.

PROPOSAL NO. 355, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 355, 1994 on June 27, 1994. The proposal amends the salary schedule for Marion County employees by adding a contingency range. The Marion County Job Classification Board (Board) has created a classification for forensic pathologists which needs to be approved by the Council. By a 4-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 7:38 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor Short, for adoption.

Councillor Golc stated that it is his understanding that when a position is reclassified the Board requires a budget impact statement and a statement justifying the need for that position to be reclassified. Councillor Rhodes said that the Board has received the necessary information from the Coroner's Office.

Councillor Williams asked what happens if a decision is made to contract with a hospital for the services of a forensic pathologist. The President said that most hospitals do not have a practicing forensic pathologist; hospitals have pathologists, but a forensic pathologist is a legal classification.

Councillor Hinkle said that he supports this proposal, but he wants the record to show that this proposal should not be considered an authorization for the Coroner's Office to hire pathologists and then ask the Council to fund those positions. The Council needs to have in writing a plan of how the Coroner's Office is going to be restructured, and how that office intends to save dollars.

Councillor Gray asked what happened with the agreement that the Coroner's Office had with Indiana University (IU). The President said he has discussed this matter with the head of IU's Pathology Department and has learned that IU is interested in renewing the contract. The Coroner has located two very qualified forensic pathologists that he would like to hire. The Coroner will make a decision in the next two weeks to either renew IU's contract or hire two forensic pathologists.

June 27, 1994

Councillor Ruhmkorff said that she read about the Auditor's report concerning the Coroner's Office in the newspaper. She would appreciate receiving reports from the Auditor's Office instead of reading about them in the newspaper.

Councillor Smith voiced his support for a renewal of IU's contract.

Proposal No. 355, 1994 was adopted on the following roll call vote; viz:

*22 YEAS: Beadling, Black, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Short, Smith, West*

*7 NAYS: Boyd, Golc, Gray, Jones, Ruhmkorff, Shambaugh, Williams*

Proposal No. 355, 1994 was retitled SPECIAL RESOLUTION NO. 50, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 50, 1994

A PROPOSAL FOR A SPECIAL RESOLUTION amending the salary schedule for Marion County employees by adding a contingency range.

WHEREAS, pursuant to Sec. 23-62 of the Code of Indianapolis and Marion County, the Marion County Job Classification Board has the responsibility of reviewing the schedule of compensation as often as necessary and recommending to the Council salary ranges in the schedule of compensation; and

WHEREAS, the Marion County Coroner desires to create the position of Forensic Pathologist with the Coroner's Office; and

WHEREAS, information obtained by the Coroner's Office and by the firm of Ernst and Young indicates that the current salary schedule does not allow for the payment of an appropriate salary for that position; Now Therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council, as the legislative and fiscal body for Marion County, hereby amends the salary schedule for Marion County employees established by City-County General Resolution No. 8, 1991 by adding a contingency range for the position of forensic pathologist as follows:

<u>BAND/GRADE</u> <u>SUBGRADE</u>	<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>	<u>RANGE</u> <u>SPREAD</u>
A11	\$ 9,460	\$ 11,352	\$ 13,243	40%
A12	\$ 10,678	\$ 12,814	\$ 14,950	40%
A13	\$ 12,054	\$ 14,465	\$ 16,875	40%
B21	\$ 13,132	\$ 16,086	\$ 19,041	45%
B22	\$ 14,382	\$ 17,618	\$ 20,855	45%
B23	\$ 15,752	\$ 19,297	\$ 22,841	45%
B24	\$ 17,253	\$ 21,134	\$ 25,016	45%
B31	\$ 19,775	\$ 24,224	\$ 28,674	45%
B32	\$ 23,066	\$ 28,256	\$ 33,446	45%
C41	\$ 24,817	\$ 30,650	\$ 36,482	47%
C42	\$ 26,483	\$ 32,706	\$ 38,929	47%
C43	\$ 28,260	\$ 34,901	\$ 41,542	47%
C51	\$ 30,286	\$ 37,857	\$ 45,429	50%
C52	\$ 33,388	\$ 41,735	\$ 50,082	50%
D61	\$ 33,638	\$ 42,888	\$ 52,138	55%
D62	\$ 35,097	\$ 44,749	\$ 54,400	55%
D63	\$ 37,452	\$ 47,751	\$ 58,050	55%
D71	\$ 38,485	\$ 50,031	\$ 61,576	60%
D72	\$ 42,427	\$ 55,155	\$ 67,883	60%



E81	\$ 46,022	\$ 59,828	\$ 73,634	60%
E82	\$ 49,109	\$ 63,842	\$ 78,575	60%
E83	\$ 49,322	\$ 64,119	\$ 78,915	60%
E83 (forensic pathologist)	\$ 90,328	\$112,910	\$135,492	66%

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NO. 330, 1994. The proposal appropriates \$99,630 in the County General Fund for the Presiding Judge of the Municipal Court to upgrade staff and equipment in order to be included in the Superior Civil case rotation--this appropriation will cover the salaries of 3 part-time commissioners and 3 full-time court reporters and the purchase of 3 recording machines. Councillor Dowden asked for consent to postpone Proposal No. 330, 1994 until July 11, 1994. Consent was given.

PROPOSAL NOS. 331, 332, 333, 334 and 335, 1994. Councillor Dowden asked for consent to discuss and vote on these five Community Corrections fiscal proposals together. Consent was given. PROPOSAL NO. 331, 1994. The proposal appropriates \$866,054 in the State and Federal Grants Fund for Community Corrections to cover operational expenses for fiscal year 1994-95. PROPOSAL NO. 332, 1994. The proposal appropriates \$199,877 in the State and Federal Grants Fund for Community Corrections to continue the Craine House Family Living Program for fiscal year 1994-95. PROPOSAL NO. 333, 1994. The proposal appropriates \$73,927 in the State and Federal Grants Fund for Community Corrections to continue the Juvenile Intensive Probation Services program for fiscal year 1994-95. PROPOSAL NO. 334, 1994. The proposal appropriates \$42,000 in the State and Federal Grants Fund for Community Corrections to pay Project Courage's director's salary for fiscal year 1994-95. PROPOSAL NO. 335, 1994. The proposal appropriates \$180,221 in the Home Detention User Fee Fund for Community Corrections to cover operational expenses for fiscal year 1994-95. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 331, 332, 333, 334 and 335, 1994 on June 15, 1994. By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 7:48 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal Nos. 331, 332, 333, 334 and 335, 1994 were adopted on the following roll call vote; viz:

29 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
0 NAYS:

June 27, 1994

Proposal No. 331, 1994 was retitled FISCAL ORDINANCE NO. 49, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 49, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Eight Hundred Sixty-six Thousand Fifty-four Dollars (\$866,054) in the State and Federal Grants Fund for purposes of Community Corrections and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b) and (bb) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Community Corrections to cover operational expenses for fiscal year 1994-95.

SECTION 2. The sum of Eight Hundred Sixty-six Thousand Fifty-four Dollars (\$866,054) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COMMUNITY CORRECTIONS</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	\$266,199
2. Supplies	19,000
3. Other Services and Charges	516,094
 <u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	<u>64,761</u>
 TOTAL INCREASE	 \$866,054

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>\$866,054</u>
TOTAL REDUCTION	<u>\$866,054</u>

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 332, 1994 was retitled FISCAL ORDINANCE NO. 50, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 50, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional One Hundred Ninety-nine Thousand Eight Hundred Seventy-seven Dollars (\$199,877) in the State and Federal Grants Fund for purposes of Community Corrections and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (bb) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Community Corrections to continue the Craine House Family Living Program for fiscal year 1994-95.



SECTION 2. The sum of One Hundred Ninety-nine Thousand Eight Hundred Seventy-seven Dollars (\$199,877) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COMMUNITY CORRECTIONS</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>\$199,877</u>
TOTAL INCREASE	\$199,877

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>\$199,877</u>
TOTAL REDUCTION	\$199,877

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 333, 1994 was retitled FISCAL ORDINANCE NO. 51, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 51, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Seventy-three Thousand Nine Hundred Twenty-seven Dollars (\$73,927) in the State and Federal Grants Fund for purposes of Community Corrections and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b) and (bb) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Community Corrections to continue the Juvenile Intensive Probation Services Program for fiscal year 1994-95 funded by a state grant.

SECTION 2. The sum of Seventy-three Thousand Nine Hundred Twenty-seven Dollars (\$73,927) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COMMUNITY CORRECTIONS</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	\$55,302
3. Other Services and Charges	4,650
<u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	<u>13,975</u>
TOTAL INCREASE	\$73,927

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>\$73,927</u>
TOTAL REDUCTION	\$73,927

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

June 27, 1994

Proposal No. 334, 1994 was retitled FISCAL ORDINANCE NO. 52, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 52, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Forty-two Thousand Dollars (\$42,000) in the State and Federal Grants Fund for purposes of Community Corrections and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b) and (bb) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Community Corrections to pay the executive director's salary of Project Courage for fiscal year 1994-95 funded by a state grant.

SECTION 2. The sum of Forty-two Thousand Dollars (\$42,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COMMUNITY CORRECTIONS</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	\$35,000
 <u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	<u>7,000</u>
 TOTAL INCREASE	 \$42,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>\$42,000</u>
TOTAL REDUCTION	<u>\$42,000</u>

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 335, 1994 was retitled FISCAL ORDINANCE NO. 53, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 53, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional One Hundred Eighty Thousand Two Hundred Twenty-one Dollars (\$180,221) in the Home Detention User Fee Fund for purposes of Community Corrections and reducing the unappropriated and unencumbered balance in the Home Detention User Fee Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b) and (bb) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Community Corrections to cover operating expenses for fiscal year 1994-95 funded by home detention user fees.

SECTION 2. The sum of One Hundred Eighty Thousand Two Hundred Twenty-one Dollars (\$180,221) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.



SECTION 3. The following additional appropriation is hereby approved:

<u>COMMUNITY CORRECTIONS</u>	<u>HOME DETENTION USER FEE FUND</u>
1. Personal Services	\$ 89,890
2. Supplies	1,500
3. Other Services and Charges	8,000
4. Capital Outlay	61,000
 <u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	<u>19,831</u>
 TOTAL INCREASE	 \$180,221

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>HOME DETENTION USER FEE FUND</u>
Unappropriated and Unencumbered	
Home Detention User Fee Fund	<u>\$180,221</u>
TOTAL REDUCTION	<u>\$180,221</u>

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

### **SPECIAL ORDERS - UNFINISHED BUSINESS**

PROPOSAL NO. 26, 1994. The proposal appropriates \$8,413 for the Superior Court, Criminal Division, Room Five, to fund an additional clerk's position. Councillor Dowden asked for consent to postpone Proposal No. 26, 1994 until August 22, 1994. Consent was given.

### **SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 308, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 308, 1994 on June 22, 1994. The proposal, sponsored by Councillor Rhodes, amends the Code by authorizing a multi-way stop at Carrollton Avenue and 50th Street and at Carrollton Avenue and 51st Street (District 7). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Rhodes, for adoption. Proposal No. 308, 1994 was adopted on the following roll call vote; viz:

29 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
0 NAYS:

Proposal No. 308, 1993 was retitled GENERAL ORDINANCE NO. 83, 1993 and reads as follows:

#### **CITY-COUNTY GENERAL ORDINANCE NO. 83, 1994**

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

June 27, 1994

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18, Pg. 4	Carrollton Av & 50th St	Carrollton Av	Stop
18, Pg. 4	Carrollton Av & 51st St	Carrollton Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18, Pg. 4	Carrollton Av & 50th St	None	All Stop
18, Pg. 4	Carrollton Av & 51st St	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 328, 1994. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 328, 1994 on June 20, 1994. The proposal amends the Comprehensive Zoning Maps of Marion County by updating base maps #5, #12 and #25. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Hinkle, for adoption. Proposal No. 328, 1994 was adopted on the following roll call vote; viz:

29 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
0 NAYS:

Proposal No. 328, 1994 was retitled GENERAL ORDINANCE NO. 84, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 84, 1994  
Metropolitan Development Commission  
Docket No. 94-AO-6

A GENERAL ORDINANCE to amend the Code of Indianapolis and Marion County, Appendix D, as amended, the Zoning Ordinance for Marion County, Indiana which Ordinance includes the Comprehensive Zoning Maps of Marion County, Indiana, as amended, and fixing a time when the same shall take effect.

WHEREAS, IC 36-7-4, establishes the Metropolitan Development Commission (MDC) of Marion County, Indiana as the single planning and zoning authority for Marion County, Indiana, and empowers the MDC to approve and recommend to the City-County Council of the City of Indianapolis and of Marion County, Indiana Ordinances for the zoning or districting of all lands within the County for the purposes of securing adequate light, air, convenience of access, and safety from fire, flood and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, morals, convenience, and general public welfare; securing the conservation of property values; and securing responsible development and growth, now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Comprehensive Zoning Maps of Marion County, Indiana, adopted under Metropolitan Development Commission Docket Number 70-AO-4, as amended, pursuant to IC 36-7-4, be further amended



to update specifically base maps #5, #12 and #25 of said maps to include subsequent rezonings (which Comprehensive Zoning Maps, as amended, are attached hereto, incorporated herein by reference and made a part of this Ordinance); and all land within the area noted on the four sections of base map #5, the four sections of base map #12, and the four sections of base map #25 are hereby classified, divided and zoned in accordance with the zoning district classifications as designated upon said Comprehensive Zoning Maps, as amended, thereby updating said Comprehensive Zoning Maps to include various rezonings by individual legal description or map amendments adopted subsequent to Metropolitan Development Commission docket number 87-AO-2.

SECTION 2. The adoption of the Comprehensive Zoning Maps, as amended, shall not supercede, amend or repeal any individually initiated rezoning ordinances approved by the City-County Council subsequent to October 29, 1993, and thereafter legally effective (which rezoning by individual legal description have not been mapped and included upon the Comprehensive Zoning Maps, as amended, but shall be so included upon said Maps in a subsequent map updating amendment hereto).

SECTION 3. The adoption of the Comprehensive Zoning Maps, as amended, shall not supersede, amend or repeal Airport Zoning Ordinance (94-AO-2, which includes the language of the former Airspace District Zoning Ordinance [62-AO-2] as amended) and the Airspace District Map adopted as a part thereof, establishing the Airspace District as a secondary zoning district of Marion County, Indiana.

SECTION 4. The adoption of the Comprehensive Zoning Maps, as amended, shall not supersede, amend or repeal the Floodway and Floodway District Fringe zoning district boundaries, as adopted under Metropolitan Development Commission docket number 92-AO-7.

SECTION 5. If any provision of this Ordinance shall be held invalid, its invalidity shall not affect any other provisions of this Ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

PROPOSAL NO. 336, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 336, 1994 on June 15, 1994. The proposal transfers and appropriates \$4,000 in the Home Detention User Fee Fund for the County Auditor to pay personal services fringes for Community Corrections for the remainder of the fiscal year. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 336, 1994 was adopted on the following roll call vote; viz:

29 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
0 NAYS:

Proposal No. 336, 1994 was retitled FISCAL ORDINANCE NO. 54, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 54, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Four Thousand Dollars (\$4,000) in the Home Detention User Fee Fund for purposes of County Auditor and reducing certain other appropriations for Community Corrections

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b) and (bb) of the City-County Annual Budget for 1994, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor to pay personal services fringes for Community Corrections for the remainder of the fiscal year.

June 27, 1994

SECTION 2. The sum of Four Thousand Dollars (\$4,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>HOME DETENTION USER FEE FUND</u>
1. Personal Services - fringes	\$4,000
TOTAL INCREASE	\$4,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>COMMUNITY CORRECTIONS</u>	<u>HOME DETENTION USER FEE FUND</u>
3. Other Services and Charges	\$4,000
TOTAL REDUCTION	\$4,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 337, 338, 339, 340, 341, 342, and 343, 1994. Councillor Gilmer asked for consent to vote on these seven transportation proposals together. Consent was given. PROPOSAL NO. 337, 1994. The proposal, sponsored by Councillor Rhodes, amends the Code by authorizing a multi-way stop at Northgate Street and Norwaldo Avenue (District 7). PROPOSAL NO. 338, 1994. The proposal, sponsored by Councillor Gilmer, amends the Code by authorizing a multi-way stop at Coffman Road and 72nd Street (District 1). PROPOSAL NO. 339, 1994. The proposal, sponsored by Councillor Rhodes, amends the Code by authorizing a multi-way stop at 57th Street and Guilford Avenue (District 7). PROPOSAL NO. 340, 1994. The proposal, sponsored by Councillor Ruhmkorff, amends the Code by authorizing a multi-way stop at Whitty Lane and 14th Street (District 12). PROPOSAL NO. 341, 1994. The proposal, sponsored by Councillor Rhodes, amends the Code by authorizing a 30 minute parking restriction for College Avenue from 54th Street to a point 140 feet north of 54th Street (District 7). PROPOSAL NO. 342, 1994. The proposal, sponsored by Councillor Mullin, amends the Code by authorizing parking restrictions for Shelby Street, on the westside, from Cameron Avenue to McDougal Street (District 20). PROPOSAL NO. 343, 1994. The proposal, sponsored by Councillor Shambaugh, amends the Code by deleting parking restrictions on 16th Street from 185 feet west of Winton Street to 200 feet east of Winton Street (District 8). Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 337, 338, 339, 340, 341, 342, and 343, 1994 on June 22, 1994. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Rhodes, for adoption. Proposal Nos. 337, 338, 339, 340, 341, 342, and 343, 1994 were adopted on the following roll call vote; viz:

29 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
0 NAYS:

Proposal No. 337, 1994 was retitled GENERAL ORDINANCE NO. 85, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 85, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.



BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 10	Northgate St, Norwaldo Av	Northgate St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 10	Northgate St, Norwaldo Av	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 338, 1994 was retitled GENERAL ORDINANCE NO. 86, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 86, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9, Pg. 1	Coffman Rd, 72nd St	Coffman Rd	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9, Pg. 1	Coffman Rd, 72nd St	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 339, 1994 was retitled GENERAL ORDINANCE NO. 87, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 87, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

June 27, 1994

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 7	57th St, Guilford Av	57th St,	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11, Pg. 7	57th St, Guilford Av	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 340, 1994 was retitled GENERAL ORDINANCE NO. 88, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 88, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
28, Pg. 4	Whitty Ln, 14th St	None	All Way Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 341, 1994 was retitled GENERAL ORDINANCE NO. 89, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 89, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-270, Parking prohibited during specified hours on certain streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-270, Parking prohibited during specified hours on certain days, be, and the same is hereby amended by the addition of the following, to wit:

30 MINUTES  
ON ANY DAY EXCEPT SUNDAYS AND HOLIDAYS  
from 7:00 a.m to 6:00 p.m

College Avenue, on the westside,  
from 54th Street to a point 140 feet north of 54th Street



SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 342, 1994 was retitled GENERAL ORDINANCE NO. 90, 1994 and reads as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 90, 1994**

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-268, Stopping, standing, or parking prohibited at all times on certain designated street, be, and the same is hereby amended by the addition of the following, to wit:

Shelby Street, on the westside,  
from Cameron Avenue to McDougal Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 343, 1994 was retitled GENERAL ORDINANCE NO. 91, 1994 and reads as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 91, 1994**

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby amended by the deletion of the following, to wit:

Sixteenth Street, on both sides,  
from a point 165 feet west of Winton Avenue  
to a point 200 feet east of Winton Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**NEW BUSINESS**

Councillor Jimison announced that Indy Black Expo convened this week and she encouraged everyone to attend. She wrote a musical, which will be presented each day at the Health Care Stage, and it's called, "Mama, I've Got Aids."

**ANNOUNCEMENTS AND ADJOURNMENT**

The President read a letter from Juliet E. Johnson, Technical Manager, Research Triangle Institute, acknowledging that a Moscow City Council delegation will be visiting Indianapolis from July 24-27.

The President stated that J. June Dugan, Administrator, Neighborhood and Development Services Division, Department of Metropolitan Development, has delivered a comprehensive

June 27, 1994

evaluation of the zoning considerations for satellite wagering facilities in response to Council Resolution No. 67, 1994 which was passed on May 23, 1994. This report is on file in the Council Office.

Councillor Boyd stated that he has been asked to offer the following motions for adjournment by:

- (1) Councillor McClamroch in memory of Shari Keeler;
- (2) Councillor West in memory of Stuart R. Reller;
- (3) Councillor Franklin in memory of Judge Stanley Miller; and by
- (4) himself in memory of Carl Wesley Strader and Dr. James B. Hamilton.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Carl Wesley Strader, Dr. James B. Hamilton, Shari Keeler, Stuart R. Reller and Judge Stanley Miller. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:20 p.m.

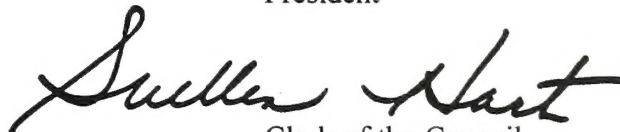
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 27th day of June, 1994.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Clerk of the Council

(SEAL)



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**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, JULY 11, 1994**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:12 p.m. on Monday, July 11, 1994, with Councillor SerVaas presiding.

Councillor Schneider led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*27 PRESENT: Beadling, Borst, Boyd, Brents, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
*2 ABSENT: Black, Coughenour*

A quorum of twenty-seven members being present, the President called the meeting to order.

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Dowden expressed appreciation to the Indianapolis Firefighters Union for the buffet dinner served to the Council members and staff before tonight's meeting. He also acknowledged the presence of all the firefighters who were present.

Councillor Hinkle recognized Pam Sheads, President of the Mount Auburn Neighborhood Association, and Louise Bogden, a long-time friend and neighborhood activist.



## OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, July 11, 1994, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Beurt SerVaas  
President, City-County Council

June 28, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, June 30, 1994, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 356, 358, 359, 362, 363, 364 and 367, 1994, to be held on Monday, July 11, 1994, at 7:00 p.m., in the City-County Building.

Respectfully,  
s/Suellen Hart  
Clerk of the City-County Council

June 29, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances and resolutions:

GENERAL ORDINANCE NO. 83, 1994 - amending the Code by authorizing a multi-way stop at Carrollton Avenue and 50th Street and at Carrollton Avenue and 51st Street (District 7)

GENERAL ORDINANCE NO. 85, 1994 - amending the Code by authorizing a multi-way stop at Northgate Street and Norwaldo Avenue (District 7)

GENERAL ORDINANCE NO. 86, 1994 - amending the Code by authorizing a multi-way stop at Coffman Road and 72nd Street (District 1)

GENERAL ORDINANCE NO. 87, 1994 - amending the Code by authorizing a multi-way stop at 57th Street and Guilford Avenue (District 7)

GENERAL ORDINANCE NO. 88, 1994 - amending the Code by authorizing a multi-way stop at Whitty Lane and 14th Street (District 12)

GENERAL ORDINANCE NO. 89, 1994 - amending the Code by authorizing a 30 minute parking restriction for College Avenue from 54th Street to a point 140 feet north of 54th Street (District 7)

July 11, 1994

GENERAL ORDINANCE NO. 90, 1994 - amending the Code by authorizing parking restrictions for Shelby Street, on the westside, from Cameron Avenue to McDougal Street (District 20)

GENERAL ORDINANCE NO. 91, 1994 - amending the Code by deleting parking restrictions on 16th Street from 185 feet west of Winton Street to 200 feet east of Winton Street (District 8)

FISCAL ORDINANCE NO. 49, 1994 - appropriating \$866,054 in the State and Federal Grants Fund for Community Corrections to cover operational expenses for fiscal year 1994-95

FISCAL ORDINANCE NO. 50, 1994 - appropriating \$199,877 in the State and Federal Grants Fund for Community Corrections to continue the Craine House Family Living Program for fiscal year 1994-95

FISCAL ORDINANCE NO. 51, 1994 - appropriating \$73,927 in the State and Federal Grants Fund for Community Corrections to continue the Juvenile Intensive Probation Services program for fiscal year 1994-95

FISCAL ORDINANCE NO. 52, 1994 - appropriating \$42,000 in the State and Federal Grants Fund for Community Corrections to pay Project Courage's executive director's salary for fiscal year 1994-95

FISCAL ORDINANCE NO. 53, 1994 - appropriating \$180,221 in the Home Detention User Fee Fund for Community Corrections to cover operational expenses for fiscal year 1994-95

FISCAL ORDINANCE NO. 54, 1994 - transferring and appropriating \$4,000 in the Home Detention User Fee Fund for the County Auditor to pay personal services fringes for Community Corrections for the remainder of the fiscal year

SPECIAL RESOLUTION NO. 50, 1994 - amending the salary schedule for Marion County employees by adding a contingency range

Respectfully,  
s/Stephen Goldsmith, Mayor

### **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Councillor Dowden asked for consent to advance Proposal No. 266, 1994 and to hear it preceding the Introduction of Proposals. Consent was given.

### **APPROVAL OF JOURNALS**

President SerVaas called for additions or corrections to the Journal of June 27, 1994. There being no additions or corrections, the minutes were approved as distributed.

### **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 416, 1994. This proposal, sponsored by Councillor O'Dell, recognizes the Marion County Children's Guardian Home Guild. Councillor O'Dell asked Councillor Ruhmkorff, Paul Browne, Superintendent, Marion County Children's Guardian Home, and members of the Guild to join him at the podium. Councillor O'Dell read the resolution and the following Guild members expressed appreciation for the recognition: Mary Begovich, Candy Faulkner, Jean Fife, Rosemary Dilley, Vivian Miller and Mary Keith. President SerVaas voiced his appreciation to the Guild for their worthwhile work at the Children's Home. Councillor O'Dell moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 416, 1994 was adopted by unanimous voice vote.

Proposal No. 416, 1994 was retitled SPECIAL RESOLUTION NO. 51, 1994 and reads as follows:



CITY-COUNTY SPECIAL RESOLUTION NO. 51, 1994

A SPECIAL RESOLUTION recognizing the Marion County Children's Guardian Home Guild.

WHEREAS, the Marion County Children's Guardian Home was established in Irvington in 1898, and now 3,200 children a year who have been abandoned, abused and neglected are sheltered in this House of Refuge for a few hours through a few months until their destinations are sorted out; and

WHEREAS, government, with its limitations, provides for the creature comfort and safety of the young people, but the Guardian's Home and Irvington have grown up together during the entire 20th Century, and since 1944, the volunteers of the Children's Guardian Home Guild have offered their personal warmth, kindness and love to the Home's children who have been dealt a short hand during their young and impressionable years; and

WHEREAS, in 1994, the 300-member Guardian's Home Guild commemorates 50 years of helping rejected kids find some self-esteem, showing that good role models and loving people do exist, showering the children with simple acts of kindness, and helping the Home purchase furniture, dishes, curtains, paint and many other needed items; and

WHEREAS, during the Persian Gulf War, the children were very anxious about the American soldiers, so the Guild worked with the kids to write touching letters to the troops; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the dedicated work of the Marion County Children's Guardian Home, and the volunteers of the Guardian Home Guild.

SECTION 2. The Council commends the members of the Guild who show the children love, and improve the odds that the youngsters might be able to grow up with pride in themselves and to achieve an honorable and useful station in life.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 417, 1994. This proposal, sponsored by Councillors Dowden, Schneider, and SerVaas, recognizes East 91st Street Christian Church. Councillor Dowden read the resolution and said that it would be presented at a later date. Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 417, 1994 was adopted by unanimous voice vote.

Proposal No. 417, 1994 was retitled SPECIAL RESOLUTION NO. 52, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 52, 1994

A SPECIAL RESOLUTION recognizing the East 91st Street Christian Church.

WHEREAS, the East 91st Street Christian Church will celebrate its 70th anniversary on July 23, 1994; and

WHEREAS, this over 4,000 member congregation started as the Montrose Church of Christ with 26 members in 1924; and

WHEREAS, this Church has remained faithful to its doctrinal roots and maintained its strong congregational independency; and

WHEREAS, it has stood as a beacon of hope and an anchor of faith for its growing Church family through years of economic depression and years of wartime emergencies as well as years of peace and prosperity; and

July 11, 1994

WHEREAS, the East 91st Street Christian Church continues to minister to its members spiritual needs and reach out to the greater Indianapolis community and the world in its missionary effort; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and congratulates East 91st Street Christian Church on its Seventieth Anniversary and extends its best wishes for the future.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 266, 1994. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 266, 1994 on May 12, July 5 and July 7, 1994. The proposal amends the Code to clarify that an off-track betting facility is a permitted use in the C-4, C-5 and C-7 Commercial Zoning Districts and to add an off-track betting facility as a permitted use in the C-6 Commercial District. Proposal No. 266, 1994 was certified by the Metropolitan Development Commission on April 22, 1994. The Council must act upon Proposal No. 266, 1994 by July 21 or it becomes law as it was proposed by the Metropolitan Development Commission. Councillor West stated that the Committee by a vote of 5-0 on July 7, 1994 recommends its amendment and its adoption as amended, and moved that Proposal No. 266, 1994 be amended by substituting the Committee version.

Councillor West stated that many citizens voiced their concern that there should be public hearings and neighborhood response to proposed off-track betting (OTB) facilities. On May 23, 1994 the Council passed a resolution which placed a 90-day moratorium on the issuing of permits for OTB facilities to provide time to establish zoning standards for them in Marion County. During this moratorium period the Indiana Horse Racing Commission granted a permit for an off-track betting facility to the Sagamore Group near the Lafayette Square Mall. A letter from J. June Dugan, Administrator, Neighborhood and Development Services Division, Department of Metropolitan Development (DMD), was read into the record at the Horse Racing Commission hearing indicating that C-4 zoning permits off-track betting facilities, but that a 90-day moratorium had been put into effect by the Council. The Sagamore Group has threatened a lawsuit because its site is in a C-4 District and they feel that Ms. Dugan's letter had assured them that OTBs were a permissible use in a C-4 District.

Councillor West further stated that the Metropolitan Development Committee at its July 5th meeting approved a special exception use for OTBs under the Commercial Zoning Ordinance, which would provide for public review of OTB facility petitions before the Metropolitan Development Commission and a possible appeal to the Council.

Councillor McClamroch seconded Councillor West's motion.

Councillor Hinkle said that despite the knowledge that the Indiana Horse Racing Commission had regarding the Council's moratorium on off-track betting permits, it has given notice at a public meeting of its intent to grant a permit to the Sagamore Group for a satellite off-track facility for a specific site here in Indianapolis. This was done because a representative of the City's administration gave the impression that C-4, C-5 and C-7 were acceptable zonings for off-track betting. All of this took place prior to Proposal 266 coming under consideration by



the Council. He said that due to the potential liability of a major lawsuit on the taxpayers of Marion County, he moved to amend the Committee substitute version for Proposal No. 266, 1994 by inserting in Section 1, at the end of the new subsection C of Sec. 2.00 the following sentence:

Provided, however, the prohibitions of this subsection shall not apply to prohibit SU-44 uses of property which is in a C-4 District on the effective date of this ordinance, if (i) it is a site for which prior to July 1, 1994, the Indiana Horse Racing Commission has announced at a public hearing its intention to issue a license to operate a satellite (off-track betting) facility, and (ii) development plans that meet the requirements for the SU-44 District have been approved by the administrator of the neighborhood and development services division prior to July 1, 1995.

This motion was seconded by Councillor McClamroch.

Councillor Williams questioned that a mid-level staff person has the authority to approve or disapprove the granting of permits. She also commented that she did not like being threatened by a lawsuit.

Councillor West said he opposes Councillor Hinkle's amendment because he believes it would grant preferential treatment to one applicant. He also said that in all of the hearings the Committee tried to honor the idea that citizens would be part of the public hearings on any off-track betting establishments. This is not about gambling, this is about fairness in representative government.

Councillor Borst stated that throughout city government employees represent the City on many issues. Sometimes they are right and sometimes they are wrong. He said that it did not make sense to him that the Council should go through all this discussion just because a letter was sent concerning C-4 zoning for OTBs when no law had been passed and no policy formulated on OTBs.

Councillor McClamroch asked Robert G. Elrod, General Counsel, to give the Council a comprehensive review of the legal situation on this matter.

Mr. Elrod stated that back in March opinions were expressed by the administration that OTBs could be built in C-4 District. Proposal No. 266, 1994 was developed by the Metropolitan Development Commission to clarify the current law in three of those districts and extend it to a fourth. The issue is whether someone who made an agreement to buy a piece of property earlier this summer in a C-4 District can build an OTB on it. The C-4 description is not very clear. There are two ways to decide what this ordinance means:

- (1) Legislative intent. Nothing was written down about off-track betting because gambling was not legal when that classification was created.
- (2) Administrative interpretation. There have been some administrative opinions that were written and some that were oral that would suggest that OTBs are permitted in a C-4 District. The risk comes not from the fact that the opinions that were expressed were right or wrong, but that a court will find the Sagamore Group's use acceptable and that the Council is legislating to prohibit a project that has already started.

July 11, 1994

Councillor Borst said that zoning laws are concerned with not creating a hardship on a piece of property. He believes the only hardship that would be created in this case is if the Sagamore Group would go through the process and be denied a permit later on. The current ordinance does not say whether an OTB can be built or not--it is a whole new public policy.

Mr. Elrod said that there may be a hardship if another hurdle is put in place that makes it impossible for the petitioner to get through the process.

Councillor Williams asked for a short recess. This request was rejected by a majority voice vote.

Councillor Hinkle's motion failed by the following roll call vote; viz:

*13 YEAS: Beadling, Curry, Dowden, Franklin, Giffin, Gilmer, Hinkle, McClamroch, O'Dell, Schneider, SerVaas, Shambaugh, Smith*

*13 NAYS: Borst, Boyd, Brents, Golc, Gray, Jimison, Jones, Moriarty Adams, Mullin, Rhodes, Ruhmkorff, West, Williams*

*1 NOT VOTING: Short*

*2 NOT PRESENT: Black, Coughenour*

The President said that Councillor West's motion to substitute the Committee version for Proposal No. 266, 1994 was now on the floor.

Councillor Williams asked how many votes does it take to pass Councillor West's substitute. The President said that it would take eighteen votes.

Councillor Gilmer asked what would happen if Councillor West's amendment does not receive eighteen votes. Mr. Elrod replied that if the amendment fails then the proposal that came to the Council from the Metropolitan Development Commission is still before the Council, and other action could be taken. If no action is taken before July 21, the proposal is adopted. If it receives eighteen votes, the ordinance has been amended and it goes back to the Metropolitan Development Commission for its approval.

Councillor Rhodes stated that he does not believe there is a need for an off-track betting facility anywhere in Marion County. But if OTBs are going to happen in Marion County he wants them classified as special uses which will protect the neighborhoods.

Councillor McClamroch stated that he understands this proposal excludes the Central Business District. Councillor West said that the protected districts are listed in Sec. 2.00 (F)3. There is nothing in the proposal about the Central Business District.

Councillor McClamroch asked if the Council has the opportunity to regulate OTBs in the mile-square downtown area. Mr. Elrod responded that under this ordinance it does not.

Councillor McClamroch stated that it is his understanding that the Indiana Horse Racing Commission has dictated that another applicant has to locate outside a certain area and would have the ability to locate downtown.

Councillor West said that it is his opinion that a special use designation would still be needed for OTBs under the special use ordinance.



Councillor McClamroch said that Mr. Elrod has opined that downtown is excluded from this ordinance and the Council needs to understand why downtown is any less a neighborhood than the rest of Marion County.

Councillor West said that in Sec. 1.00 it lists the special use zoning districts for Marion County. He read that, "No use shall be permitted in any special use zoning district other than the following permitted use or uses specified for said districts." He stated that he understands that special use ordinance applies to downtown.

Councillor Gilmer moved the previous question.

Councillor Williams asked Ed Mitro, Senior Planner, DMD, to explain this issue.

Mr. Mitro read the following section from Proposal No. 266, 1994:

Sec. 2.00. Commercial Zoning District regulations.

C. *Prohibited Uses.* Uses for which the following Special Use Districts are provided, under the Special Use Districts Zoning Ordinance (as last amended by Docket No. 94-AO-4) as in effect from time to time, shall not be permitted in any Commercial Zoning District created under this Commercial Zoning Ordinance:

- SU-8 Correctional and penal institution
- SU-10 Cemetery
- SU-13 Sanitary Landfill
- SU-18 Light or power substation
- SU-23 Permanent gravel or sand processing plat, rock crushing, grinding or milling and stock piling.
- SU-28 Petroleum refinery and petroleum products storage.
- SU-35 Telecommunication receiving or broadcasting tower and associated accessory buildings.
- SU-39 Water tank, water pumping station and similar structures not located on buildings.
- SU-41 Sewage disposal plant; garbage feeding and disposal.
- SU-42 Gas Utility
- SU-43 Power transmission lines.
- SU-44 Off-track Pari Mutuel Wagering Facilities, Licensed as Satellite Facilities under IC 4-31-5.5.

Mr. Mitro said that the Commercial Zoning Ordinance is everything outside of the Central Business District. The Central Business District is a completely separate ordinance and is not referenced under this amendment.

Councillor Hinkle asked for confirmation that the Council is creating an exception for one company to be able build an OTB in the Central Business District without a public hearing.

Mr. Elrod said that this is exactly how this problem was created. People express opinions about hypothetical uses in certain areas. If the Council wants opinions on what is permitted in a zoning district, another forum should be used. It is a very complex question.

Councillor Gilmer's motion to move the question passed by a unanimous voice vote.

Councillor Short asked that the following memo be read into the record.

MEMORANDUM

To: Councillor Short  
From: Sue A. Beesley, Corporation Counsel  
Date: July 11, 1994  
Re: Voting on Zoning Regulations for Off Track Betting

July 11, 1994

You have requested my opinion on whether you should abstain from voting on zoning regulations concerning sites for off track betting in Marion County. It is my understanding that you have clients with interests in this business.

Since Proposal 266, 1994 is merely an enabling ordinance and does not involve any specific site or specific organization, it is my opinion that your participation would not violate the ethics ordinance. Any potential pecuniary interest you might receive would be highly speculative at this point in time.

However, in the event a zoning proceeding involving a specific site for a client of yours or even a competitor were to come before the Council, then I would recommend you abstain from participating and voting.

If you have any further questions please do not hesitate to contact me.

Councillor Short read the following prepared statement:

Mr. President,

I felt it was important to read the previous memorandum into the record for various reasons:

First of all, it is true that I have a client, Churchill Downs, who owns a horsetrack in Anderson, Indiana. I have a variety of clients in many fields.

But the issue I'm addressing is not my profession or that of my clients. We in this body are all part time councillors who have full time jobs or other responsibilities.

The issue I'm addressing is my integrity. Over the last week, it has been brought to my attention that certain folks in this audience tonight have questioned my ability to do this job in an ethical, reasonable, and responsible way.

Mr. President, it is my opinion and that of our Corporation Counsel that I have acted ethically, reasonably, and responsibly.

Councillor Short asked for consent to abstain from voting on Proposal 266. Consent was given.

Councillor Borst asked for consent to explain his vote. Consent was given. He said that he voted against this proposal because it only pertains to the Commercial Zoning District.

Councillor West's motion that Proposal No. 266, 1994 be amended by substituting the Committee version passed by the following roll call vote; viz:

*24 YEAS: Beadling, Boyd, Brents, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith, West, Williams*

*2 NAYS: Borst, Hinkle*

*1 NOT VOTING: Short*

*2 NOT PRESENT: Black, Coughenour*

Councillor Hinkle asked for consent to explain his vote. Consent was given. He said that he voted against this proposal because he does not want the Central Business District excluded from the Special Use Ordinance.

Councillor Boyd moved that Proposal No. 266, 1994 be returned to the Metropolitan Development Commission as amended. Councillor Curry seconded the motion.

Councillor Borst asked if the SU-44 zoning in this proposal covers all of Marion County. Mr. Mitro replied that it does not cover the Central Business District.



Councillor Williams stated that she supports Proposal No. 266, 1994, as amended, because a commitment was made to her that there would be no off-track betting facilities anywhere within the vicinity of residential neighborhoods within the Central Business District.

Councillor Rhodes stated that Proposal No. 266, 1994, as amended, protects 99% of the land area. He said that he will co-sponsor with Councillor Borst a proposal that the same rules would apply in the Central Business District as in the rest of the county.

Mr. Elrod stated that only the Metropolitan Development Commission can initiate an amendment to a zoning ordinance in this county.

Proposal No. 266, 1994, as amended, was passed by the following roll call vote; viz:

23 YEAS: *Beadling, Boyd, Brents, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith, West, Williams*

3 NAYS: *Borst, Hinkle, Jimison*

1 NOT VOTING: *Short*

2 NOT PRESENT: *Black, Coughenour*

Proposal No. 266, 1994 was retitled GENERAL ORDINANCE NO. 92, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 92, 1994  
METROPOLITAN DEVELOPMENT COMMISSION  
DOCKET NO. 94-AO-7

A GENERAL ORDINANCE to the Code of Indianapolis and Marion County, Appendix D, as amended, the Zoning Ordinance for Marion County which ordinance includes the Commercial Zoning Ordinance, as amended, and the Special Use Districts Zoning Ordinance and fixing a time when the same shall take effect.

WHEREAS, IC 36-7-4 establishes the Metropolitan Development Commission (MDC) of Marion County, Indiana, as the single planning and zoning authority for Marion County, Indiana, and empowers the MDC to approve and recommend to the City-County Council of the City of Indianapolis and of Marion County, Indiana ordinances for the zoning or districting of all lands within the county for the purposes of securing adequate light, air, convenience of access, and safety from fire, flood, and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, morals, convenience, and general public welfare; securing the conservation of property values; and securing responsible development and growth; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Commercial Districts Zoning Ordinance of Marion County, Indiana, Code of Indianapolis and Marion County, Appendix D, (adopted under Metropolitan Development Commission Docket Numbers 69-AO-1, 75-AO-3, 76-AO-3, 79-AO-4, 80-AO-1, and 92-AO-4), as amended, pursuant to IC 36-7-4, be further amended by adding a new subsection C in Section 2.00 to read as follows:

Sec. 2.00. Commercial Zoning District regulations.

C. Prohibited Uses. Uses for which the following Special Use Districts are provided, under the Special Use Districts Zoning Ordinance (as last amended by Docket No. 94-AO-4) as in effect from time to time, shall not be permitted in any Commercial Zoning District created under this Commercial Zoning Ordinance:

<u>SU-8</u>	<u>Correctional and penal institution</u>
<u>SU-10</u>	<u>Cemetery</u>
<u>SU-13</u>	<u>Sanitary Landfill</u>
<u>SU-18</u>	<u>Light or power substation</u>

<u>SU-23</u>	<u>Permanent gravel or sand processing plant, rock crushing, grinding or milling and stock piling.</u>
<u>SU-28</u>	<u>Petroleum refinery and petroleum products storage.</u>
<u>SU-35</u>	<u>Telecommunication receiving or broadcasting tower and associated accessory buildings.</u>
<u>SU-39</u>	<u>Water tank, water pumping station and similar structures not located on buildings.</u>
<u>SU-41</u>	<u>Sewage disposal plant; garbage feeding and disposal.</u>
<u>SU-42</u>	<u>Gas Utility</u>
<u>SU-43</u>	<u>Power transmission lines.</u>
<u>SU-44</u>	<u>Off-track Pari Mutuel Wagering Facilities, Licensed as Satellite Facilities under IC 4-31-5.5.</u>

SECTION 2. The Special Use Districts Zoning Ordinance, as adopted under Metropolitan Development Commission Docket Numbers 66-AO-3, 67-AO-5, 68-AO-13, 78-AO-1, and 94-AO-4, be further amended by deleting the stricken-through language and inserting the underlined language to read as follows:

SPECIAL USE DISTRICTS ZONING ORDINANCE  
OF MARION COUNTY, INDIANA  
CHAPTER I

Sec. 1.00. Establishment of Special Use Zoning Districts -Permitted Uses

The following primary Special Use Zoning Districts for Marion County, Indiana, are hereby established, and land within said County zoned to said district classifications shall be designated on the applicable zoning maps by the following zoning district symbols, respectively (which maps are hereby incorporated by reference and made a part of this ordinance). No use shall be permitted in any Special Use Zoning District other than the following permitted use or uses specified for each said district, respectively:

<i>Special Use Zoning District</i>	<i>Symbol</i>	<i>Permitted Use</i>
I	SU-1	Religious use (as defined in section 2.01,B.
II	SU-2	School
III	SU-3	Golf course, golf driving range, golf country club--public or private
V	SU-5	Radio receiving or broadcasting tower and accessory buildings
VI	SU-6	Hospital, sanitarium, nursing home
VII	SU-7	Charitable, philanthropic and not-for-profit institution
VIII	SU-8	Correctional and penal institution
IX	SU-9	Building(s) and grounds used by any department of town, city, township, county, state or federal government
X	SU-10	Cemetery
XIII	SU-13	Sanitary landfill
XVI	SU-16	Indoor and outdoor commercial amusement, recreation and entertainment establishment
XVIII	SU-18	Light or power substation
XX	SU-20	Telephone exchange offices
XXIII	SU-23	Permanent gravel or sand processing plant, rock crushing, grinding or milling and stock piling
XXVIII	SU-28	Petroleum refinery and petroleum products storage
XXXIV	SU-34	a. Club rooms b. Fraternal rooms--Fraternity and lodge c. Ballroom--Public
XXXV	SU-35	Telecommunication receiving or broadcasting tower and associated accessory buildings
XXXVII	SU-37	Library
XXXVIII	SU-38	Community center
XXXVIV	SU-39	Water tank, water pumping station and similar structures not located on buildings
XXXXI	SU-41	Sewage disposal plant; garbage feeding and disposal
XXXXII	SU-42	Gas utility
XXXXIII	SU-43	Power transmission lines
<u>XXXXIV</u>	<u>SU-44</u>	<u>Off-track pari mutuel wagering facilities, licensed as satellite facilities under IC 4-31-5.5</u>



Including for each said district, Accessory Uses and Structures, subordinate, appropriate and incidental to the above permitted primary uses.

## CHAPTER II

### Sec. 2.00. Special Use District Regulations

The following regulations shall apply to all land within the Special Use Districts.

A. *Applicability Of Regulations.* After the effective date of this ordinance:

1. With the exception of legally established nonconforming uses, no land, building, structure, premises or part thereof shall be used or occupied except in conformity with these regulations and for uses permitted by this ordinance.
2. No building, structure, premises or part thereof shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated except in conformity with these regulations and for uses permitted by this ordinance and until the proposed site and development plan and landscape plan have been filed with and approved on behalf of the Metropolitan Development Commission by the Administrator of the Neighborhood and Development Services Division or approved by said Metropolitan Development Commission, as hereinafter provided. Said request shall be in the form of an application for an Improvement Location Permit.

Upon the application for such permit request, the Administrator of the Neighborhood and Development Services Division on behalf of the Metropolitan Development Commission, shall consider and either approve, disapprove, or approve subject to any conditions, amendments or covenants by the petitioner, the proposed site and development plan and landscape plan. (The action of the Administrator upon such permit application shall be subject to the filing of an appeal in the form of an Approval Petition, within ten (10) days of denial of said approval, by any aggrieved person to the Metropolitan Development Commission as specified in the Rules of Procedure of the Metropolitan Development Commission.)

The Metropolitan Development Commission may consider and act upon such appeals of the action of the Administrator at any public meeting of the Commission, and shall either approve, disapprove, or approve subject to any conditions, amendments, or covenants by the petitioner, the site and development plan and landscape plan. The Approval Petition shall be heard in accordance with the Metropolitan Development Commission's Rules of Procedure.

No building or structure shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated in said Special Use Districts of Indianapolis, Marion County, Indiana, without an Improvement Location Permit, and said permit shall not be issued until the proposed site and development plan has been approved in accordance with this section.

3. Legally established nonconforming uses and structures or buildings not located in any Flood Control District may be restored to their original dimensions and conditions if damaged or partially destroyed by fire or other naturally occurring disaster, provided the damage or destruction does not exceed two-thirds (2/3) of the gross floor area of the building or structure affected.
4. All land use within the Special Use Districts shall be limited to the use or uses existing on the effective date of this ordinance or specified in the applicable rezoning petition or ordinance redistricting and zoning the particular land to that District.

B. *Performance Standards.* All uses established or placed into operation after the effective date of this ordinance shall comply with the following performance standards. No use in existence on the effective date of this ordinance shall be so altered or modified as to conflict with these standards.

1. *Vibration:* No use shall cause earth vibrations or concussions detectable beyond the lot lines without the aid of instruments.
2. *Smoke, dust and particulate matter:* Smoke, dust, particulate matter and any other air borne material shall be subject to, and comply with, the standards and regulations of the Air Pollution

July 11, 1994

Ordinance as contained in Chapter 4 of the Code of Indianapolis and Marion County, Indiana, and regulations promulgated pursuant thereto by the Indianapolis Air Pollution Control Board.

3. *Noxious matter:* No use shall discharge across the lot lines, noxious, toxic or corrosive matter, fumes or gases in such concentration as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.
4. *Odor:* No use shall emit across the lot lines odor in such quantities as to be readily detectable at any point along the lot lines and as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.
5. *Sound:* No use shall produce sound in such a manner as to endanger the public health, safety or welfare or cause injury to property. Sound shall be muffled so as not to become detrimental due to intermittence, beat, frequency, shrillness or vibration.
6. *Heat and glare:* No use shall produce heat or glare creating a hazard perceptible from any point beyond the lot lines.
7. *Waste matter:* No use shall accumulate within the lot or discharge beyond the lot lines any waste matter, whether liquid or solid, in violation of the applicable standards and regulations of the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana, the Indiana State Board of Health, and the Stream Pollution Control Board of the State of Indiana and the Department of Public Works of Indianapolis, Indiana, or in such a manner as to endanger the public health, safety or welfare or cause injury to property.

C. *Development Standards* All uses permitted within the Special Use Districts shall be administratively reviewed (as noted in Section 2.00, A, 1 and 2), using as a guide the development standards applicable to the specified district as follows:

<i>Special Use Zoning District</i>	<i>Applicable District For Development Standards Compliance</i>
SU-1	C-1
SU-2	C-1
SU-3	C-5
SU-5	I-2-S
SU-6	C-2
SU-7	C-2
SU-8	C-2
SU-9	C-1
SU-10	C-1
SU-13	(As per Section 2.00, D)
SU-16	C-5
SU-18	I-1-S
SU-20	C-1
SU-23	I-5-S
SU-28	I-4-S
SU-34	C-3
SU-35	I-2-S
SU-37	C-1
SU-38	C-3
SU-39	C-1
SU-41	I-5-S
SU-42	C-1 (And as per Section 2.00, E)
SU-43	I-1-S
<u>SU-44</u>	<u>C-3</u>

The Administrator, in reviewing Special Use District development, shall have the power to modify the standards noted above, and approve alternatives for those requirements so long as the alternative standards are appropriate for the site and its surroundings and the site development is compatible and consistent with the intent of the stated standards. Such modifications shall be noted on the site and development plan, stamped approved by the Administrator and become a part of the file and requirements for the Improvement Location Permit.



D. *Additional Development Standards for the Special Use XIII (SU-13) District* In addition to the regulations of Section 2.00 A, B, and C, the following regulations shall apply to Special Use District XIII (SU-13):

1. *Land use restriction:* Land use permitted in the SU-13 District shall be limited to "sanitary landfill" operations, as defined in Section 2.01, B.

Whenever the applicable standards or requirements of any other ordinance, or governmental unit or agency thereof are higher or more restrictive, the latter shall control land use permitted in the SU-13 District.

"Open Dumping", as defined in Section 2.01, B, shall not be permitted in the SU-13 District.

No use in the SU-13 District shall be maintained or operated in a manner constituting a hazard to health, safety or the public welfare.

2. *Minimum lot area:* Ten (10) acres.
3. *Minimum frontage:* Three hundred (300) feet.
4. *Minimum yards:* Minimum required depth of front, rear and side yards, surrounding the landfill operation: One hundred (100) feet.

No landfill operation, or portion thereof, shall be permitted within one hundred (100) feet of any lot line.

5. *Fencing:* The entire landfill operation shall be enclosed with a substantial wall, fence at least five (5) feet in height, or other adequate barrier.
6. *Buffer strip:* A buffer planting strip, at least thirty (30) feet in depth, shall be provided and maintained between the lot lines and the above required fencing or other enclosure.
7. *Signs:* Signs and sign structures shall comply with the Sign Regulations of Marion County, Indiana, 71-AO-4, as amended.
8. *Access drive:* Distance of driveway entrance or exit from any adjacent lot line shall be at least one hundred twenty-five (125) feet.

Any portion of such access drive within a distance of one hundred fifty (150) feet of the public street shall be paved or treated so as to be dust free.

9. *Required permit, site and operational plan; bond:*

- a. No sanitary landfill operation (or phase thereof) shall be permitted in the SU-13 District until a Permit has been issued by the Neighborhood and Development Services Division and a bond filed therefore, as required by sub-paragraph b. hereof.
- b. Applications for the Permit required by subparagraph a. above shall be made in writing and shall be accompanied by a corporate surety bond for the faithful performance of all applicable requirements of this ordinance, including the operation and the completion of the sanitary landfill in accordance with the approved Site and Operational Plan, as required by sub-paragraph c. hereof. (Such Permit may be issued and bond filed for the total operation or for one or more phases thereof, as shown on the Site and Operational Plan.)

Said bond shall run jointly and severally to the Metropolitan Development Commission of Marion County, Indiana, and any other governmental agency requiring a similar bond, and shall be in the amount of ten thousand dollars (\$10,000.00) per operation, with approved surety. Said bond shall specify the time for completion of all applicable requirements of this ordinance and shall specify the total operational area, or phase thereof, covered by the bond.

- c. Applications for the Permit required by sub-paragraph a. above shall be accompanied by the following:

- (1) proposed Site and Operational Plan, including topographic maps (at a scale of not over one hundred [100] feet to the inch) with contour intervals which clearly show the character of the land and geological characteristics of the site as determined by on-site testing or from earlier reliable survey data, indicating soil conditions, water tables and subsurface characteristics.

Said Plan shall indicate: the proposed fill area; any borrow area; access roads; on-site drives; grades for proper drainage of each lift required and a typical cross-section of a lift; special drainage devices if necessary; location and type of fencing; structures existing or to be located on the site; existing wooded areas, trees, ponds or other natural features to be preserved; existing and proposed utilities; phasing of landfill operations on the site; a plan and schedule for site restoration and completion; a plan for the ultimate land use of the site; and all other pertinent information to indicate clearly the orderly development, operation and completion of the sanitary landfill. Approval of said Site and Operational Plan by the Administrator of the Neighborhood and Development Services Division shall be required prior to the issuance of said permit.

- (2) An area map.

10. *Operation:*

- a. Supervision of operation. A landfill operation shall be under the direction of a responsible individual at all times. Access to a sanitary landfill shall be limited to those times when an attendant is on duty and only to those authorized to use the site for the disposal of refuse. Access to the site shall be controlled by a suitable barrier.
- b. Unloading of refuse. Unloading of refuse shall be continuously supervised.
- c. Site maintenance. Measures shall be provided to control dust and blowing paper. The entire area shall be kept clean and orderly.
- d. Spreading and compacting of refuse. Refuse shall be spread so that it can be compacted in layers not exceeding a depth of two (2) feet of compacted material. Large and bulky items, when not excluded from the site, shall be disposed of in a manner approved by the Health and Hospital Corporation.
- e. Daily cover. A compacted layer of at least six (6) inches of suitable cover material shall be placed on all exposed refuse by the end of each working day.
- f. Final cover. A layer of suitable cover material compacted to a minimum thickness of two (2) feet shall be placed over the entire surface of each portion of the final lift not later than one (1) week following the placement of refuse within that portion.
- g. Maintenance of cover. All daily cover depths must be continually maintained and final cover depths shall be maintained for a period of two (2) years.
- h. Hazardous materials, including liquids and sewage. Hazardous materials, including liquids and sewage, shall not be disposed of in a sanitary landfill unless special provisions are made for such disposal through the health department having jurisdiction. This provision in no way precludes the right of a landfill operator to exclude any materials as a part of his operational standards.
- i. Burning. No refuse shall be burned on the premises.
- j. Salvage. Salvaging, (the controlled removal of reusable materials), if permitted, shall be organized so that it will not interfere with prompt sanitary disposal of refuse or create unsightliness or health hazards. Scavenging (the uncontrolled removal of materials) shall not be permitted.
- k. Insect and rodent control. Conditions unfavorable for the production of insects and rodents shall be maintained by carrying out routine landfill operations promptly in a systematic manner. Supplemental insect and rodent control measures shall be instituted whenever necessary.



- l. Drainage of surface water. The entire site, including the fill surface, shall be graded and provided with drainage facilities to minimize runoff onto and into the fill, to prevent erosion or washing of the fill, to drain off rainwater falling on the fill, and to prevent the collection of standing water.
- m. Characteristics of cover material. Cover material shall be of such character that it can be compacted to provide a tight seal and shall be free of putrescible materials and large objects.
- n. Water pollution and nuisance control. Sanitary landfill operations shall be so designed and operated that conditions of unlawful pollution will not be created and injury to ground and surface waters avoided which might interfere with legitimate water uses. Water-filled areas not directly connected to natural lakes, rivers or streams may be filled with specific inert material not detrimental to legitimate water uses and which will not create a nuisance or hazard to health. Special approval of the inert material to be used in this manner shall be required in writing from the Health and Hospital Corporation. Inert material shall not include residue from refuse incinerators.
- o. Equipment. Adequate numbers, types and sizes of properly maintained equipment shall be used in operating the landfill in accordance with good engineering practice and with these rules.

Emergency equipment shall be available on the site or suitable arrangements made for such equipment from other sources during equipment breakdown or during peak loads.

11. *Completion of Landfill:* Upon completion of the landfill operation, or any phase thereof as indicated on the approved Site and Operational Plan, the land shall be graded, backfilled and finished to a surface which will:
  - a. result in a level, sloping or gently rolling topography in substantial conformity or desirable relationship to the original site, and land area immediately surrounding, and
  - b. minimize erosion due to rainfall. Such graded or backfilled area shall be sodded or surfaced with soil of a quality at least equal to the topsoil of vegetation producing land areas immediately surrounding, and to a depth of at least six (6) inches.

Said topsoil shall be planted with trees, shrubs, legumes or grasses, as indicated on the approved Site and Operational Plan.

E. *Additional Development Standards for the Special Use XXXXII (SU-42) District.* In addition to the regulations of Section 2.00 A, B and C, the following regulations shall apply to all gas conditioning and control facilities, including odorizing, mixing, metering and high pressure regulating substations permitted under such Special Use District XXXXII (SU-42), and where the word "lot" is used in the following twelve paragraphs it shall be deemed to include, but not be limited to, any area of land designated as a lot on a platted subdivision or described on a duly recorded deed or area or parcel of land or site:

1. The storage, utilization or manufacture of all products or materials shall conform to the standards prescribed by the National Fire Protection Association, a copy of which is on file in the office of the Neighborhood and Development Services Division, Department of Metropolitan Development of Marion County, Indiana, and which standards are hereby incorporated by reference and made a part hereof. Such storage, utilization or manufacture shall not produce a hazard or endanger the public health, safety and welfare.
2. All uses shall conform to the Atomic Energy Commission's standards for protection against radiation, a copy of which is on file in the office of the Neighborhood and Development Services Division, Department of Metropolitan Development of Marion County, Indiana, and which standards are hereby incorporated by reference and made a part hereof.
3. All uses shall conform to the Federal Communications Commission's standards governing electromagnetic radiation, a copy of which is on file in the office of the Neighborhood and Development Services Division, Department of Metropolitan Development of Marion County, Indiana, and which standards are hereby incorporated by reference and made a part hereof.

4. No building or structure for uses permitted under such Special Use District XXXXII (SU-42) shall be constructed and no premises shall be used for such purposes on any lot which does not have direct frontage on one (1) permanently surfaced public street or highway.
5. All uses permitted under such Special Use District XXXXII (SU-42) shall provide hardsurfaced, off-street parking areas, including as a minimum requirement one (1) space (containing three hundred-thirty [330] square feet in addition to the necessary ingress and egress lanes) for each two employees, computed on the basis of the greatest number of persons employed at any one period during the day or night. Such parking areas must not extend within twenty (20) feet of any lot boundary except where said lot boundary abuts an active railroad line.

Such parking areas shall not be leased or rented for hire, but shall be for the sole use of the occupants and visitors of the premises.

6. The total of the gross floor area of all structures on the lot, excluding the gross floor area of off-street parking building space, shall not exceed one-half (1/2) the area of the lot on which the structures are located.
7. A front yard shall be required along every front lot line. A front yard shall be not less than the established setback for abutting land; provided, however, in the event such established set-backs of abutting land shall not be of equal depth, the front yard shall be not less than the depth of the greater, and in the event the abutting land is in an Industrial or Commercial District, the front yard shall be not less than sixty (60) feet in depth.

Provided further that in the event said lot adjoins a Dwelling District, the fence and hedge referred to in paragraph (12) hereof shall not be located closer to any street right-of-way than the established setback line of said Dwelling District, said fence to be not less than fifteen (15) additional feet from the outside of the building or structure as provided in said paragraph (12) hereof. Except for necessary walks, drives and parking areas not exceeding ten percent (10%) of the front yard area, a front yard shall be planted in grass or other suitable ground cover.

8. A side yard shall be provided along each side lot line. A side yard shall be at least fifty (50) feet in depth (except where it abuts a main line railroad) plus one (1) foot for each foot of height by which the building or structure exceeds twenty (20) feet.
9. A rear yard shall be provided along each rear yard line. A rear yard shall be at least fifty (50) feet in depth (except where it abuts an active main line railroad) plus one (1) foot for each foot of height by which the building or structure exceeds twenty (20) feet.
10. All signs shall meet the requirements of the Sign Regulations of Marion County, Indiana (71-AO-4).
11. All gas conditioning and control facilities permitted under such Special Use District XXXXII (SU-42) and equipment relating thereto shall be housed in buildings or structures of masonry construction, unless otherwise prescribed by law or by the standards of the National Fire Protection Association which are incorporated herein by reference and made a part hereof.
12. Each building or structure housing such facilities and equipment shall be enclosed by a six (6) foot chain link fence, with locked gate, not less than fifteen (15) feet from the outside of such building or structure and a compact hedge not less than six (6) feet in height between such fence and the property line. Said hedge shall not be located closer than twenty-five (25) feet to any street right-of-way. In the event said lot adjoins a Dwelling District, said fence and hedge shall not be located closer to any street right-of-way than the established setback line of said Dwelling District.

F. Additional regulations applicable to Special Use XXXXIV (SU-44) District. In addition to the regulations in Section 2.00 A, B and C, the following regulations shall apply to Special Use District XXXXIV (SU-44):

1. Permitted uses: The only commercial activities permitted in this district shall be:
  - a. pari-mutuel wagering on horse races, and
  - b. providing full service dining facilities



by the holder of a satellite facilities license issued under IC 4-31-5.5.

2. Development standards:

- a. All wagering and food and beverage service shall be conducted entirely inside the facility, which shall be designed so that none of the wagering activities, including bet-taking, video monitors, and odds and contest-result displays, shall be visible to any person at any location outside the facility.
  - b. No drive-through service or outside sales shall be permitted.
  - c. No outside speakers or video monitors shall be used to advertise or display the contests, odds or other information about the wagering activities conducted within the facility.
  - d. Minimum parking of one (1) parking space per employee per largest work shift plus one (1) parking space for each seventy-five (75) square feet of gross area of the facility.
  - e. No accessory structures shall be permitted.
  - f. Lighting of parking area.
    - (1) When parking areas are illuminated, the lighting equipment shall provide good visibility with a minimum of direct glare.
    - (2) In applying exterior lighting, equipment shall be of an appropriate type and be so located, shielded and directed that the distribution of light is confined to the area to be lighted.
    - (3) Objectionable light onto adjacent properties and streets shall be avoided to prevent direct glare or disability glare.
    - (4) Lighting levels for outdoor parking areas shall meet the following minimum average maintained horizontal footcandles (as specified in Architectural Graphics Standards, Eighth Edition, Ramsey/Sleeper John Wiley and Sons, Inc., New York, New York, a copy of which is on file in the office of the Neighborhood and Development Services Division of the Department of Metropolitan Development of Marion County, Indiana and is hereby incorporated by reference and made a part hereof).
    - (5) Further, it shall be prohibited to:
      - (a) light an area by the use of stringers or unshielded incandescent lamps in which the entire lamp envelope is designed to function as a light emitter; and
      - (b) make use of attention attracting lighting from any apparatus of any type similar to that used by emergency vehicles.
3. No use of any land, structure or premises shall be permitted if any portion of the perimeter of the subject lot is located within five hundred (500) feet of the following zoning districts:
- a. Dwelling Districts.
  - b. Historic Preservation Districts.
  - c. Park Districts.
  - d. University Quarter Districts.
  - e. SU-1 District (Church).
  - f. SU-2 District (School).
  - g. SU-37 District (Library).

July 11, 1994

h. SU-38 District (Community Center).

In addition to the zoning districts noted above, this regulation shall also apply to any portion of the perimeter of a lot containing a church, elementary school, junior high school, high school, as defined in IC 20-10.1-1, college or university regardless of zoning classification.

If such use is a part of or included within an integrated center, the perimeter of the portion thereof or leased spaced occupied by such use shall be deemed the perimeter of the lot for purposes of the above distance computation.

Sec. 2.01. Construction of language and definitions.

A. *Construction of Language.* The language of this ordinance shall be interpreted in accordance with the following regulations:

1. The particular shall control the general.
2. In the case of any difference of meaning or implication between the text of this ordinance and any illustration or diagram, the text shall control.
3. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
4. Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
5. A "building" or "structure" includes any part thereof.
6. The phrase "used for" includes "arranged for", "designed for", "intended for", "maintained for", or "occupied for".
7. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction "and", "or", or "either...or", the conjunction shall be interpreted as follows:
  - a. "And" indicates that all the connected items, conditions, provisions, or events shall apply.
  - b. "Or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.
  - c. "Either...or" indicates that all the connected items, conditions, provisions, or events shall apply singly but not in combination.

B. *Definitions.*

1. *Administrator:* Administrator of the Neighborhood and Development Services Division or his/her appointed representative.
2. *Hardsurfaced:* Quality of an outer area being solidly constructed of pavement, brick, paving stone, or a combination thereof.
3. *Lot line:* The legal boundary of a lot as recorded in the office of the Marion County Recorder.
4. *Lot line, front:* The lot line(s) coinciding with the street rights-of-way; in the case of a corner lot, both lot lines coinciding with the street rights-of-way shall be considered front lot lines; or, in the case of a through lot, the lot line which most closely parallels the primary entrance to the primary structure shall be considered the front lot line, or so declared by the Administrator.
5. *Lot line, rear:* A lot line which is opposite and most distant from the front lot line, or in the case of a triangularly shaped lot, a line ten (10) feet in length within the lot, parallel to and at the maximum distance from the front lot line. However, in the case of a corner lot any, any lot line which intersects with a front lot line shall not be considered a rear lot line.
6. *Lot line, side:* Any lot line not designated as a front or rear lot line.



7. *Open dumping:* A site where refuse is dumped, which due to lack of control may create a breeding place for flies and rats, may catch fire or produce air pollution.
8. *Religious use:* A land use devoted primarily to divine worship together with reasonably related accessory uses, which are subordinate to and commonly associated with the primary use, which may include but are not limited to, educational, instructional, social or residential uses.
9. *Sanitary landfill:* A method of disposing of refuse on land without creating nuisances or hazards to public health, safety, or welfare by utilizing principals of engineering to confine the refuse to the smallest practical area, to reduce it to the smallest practical volume, covering it with a layer of suitable cover at the conclusion of each day's operation or at more frequent intervals as necessary.
10. *Yard, front:* An open space unobstructed to the sky, extended fully across the lot while situated between the front lot line and a line parallel thereto, which passes through the nearest point of any building or structure and terminates at the intersection of any side lot line.
11. *Yard, rear:* An open space unobstructed to the sky extending fully across the lot situated between the rear lot line and a line parallel thereto which passes through the nearest point of any building or structure and terminates at the intersection of any side lot line.
12. *Yard, side:* An open space unobstructed to the sky extending the length of the lot situated between a side lot line and a line parallel thereto which passes through the nearest point of any building or structure and terminates at the point of contact with any rear or front yards or any lot line, whichever occurs first.

SECTION 3. If any provision of this ordinance shall be held invalid, it invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

SECTION 4. This ordinance shall be in full force and effect upon its adoption in compliance with IC 36-7-4.

[Clerk's Note: The Council took a fifteen-minute recess at this time: 9:10 - 9:25 p.m.]

Councillor Borst asked for consent to hear Proposal Nos. 384, 385 and 386, 1994 at this time. Consent was given.

### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 384, 1994. Councillor Borst reported that the Economic Development Committee heard Proposal No. 384, 1994 on July 6, 1994. The proposal amends S.R. No. 72, 1990, as amended, by extending the expiration date for Homeward Partners, Inc. through December 31, 1994 (various Regional Center sites, Districts 16 and 20). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Franklin, for adoption. Proposal No. 384, 1994 was adopted on the following roll call vote; viz:

*17 YEAS: Beadling, Borst, Boyd, Brents, Curry, Dowden, Giffin, Golc, Jimison, McClamroch, Moriarty Adams, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith*

*0 NAYS:*

*10 NOT VOTING: Franklin, Gilmer, Gray, Hinkle, Jones, Mullin, O'Dell, Short, West, Williams*

*2 NOT PRESENT: Black, Coughenour*

Proposal No. 384, 1994 was retitled SPECIAL RESOLUTION NO. 53, 1994 and reads as follows:

July 11, 1994

CITY-COUNTY SPECIAL RESOLUTION NO. 53, 1994

A SPECIAL RESOLUTION amending City-County Special Resolution No. 72, 1990, as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 72, 1990, as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by Homeward Partners, Inc. (the "Company") which Inducement Resolution set an expiration date of July 31, 1994 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the city, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of July 31, 1994, contained therein and replacing said date with the date of December 31, 1994.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 385, 1994. Councillor Borst reported that the Economic Development Committee heard Proposal No. 385, 1994 on July 6, 1994. The proposal is an inducement resolution for North American Laboratory, Inc. in an amount not to exceed \$3,000,000 for the acquisition, construction and equipping of an approximately 50,000 square foot building to be located at the southwest corner of 62nd Street and Guion Road which will be used for the manufacturing of a variety of dry mix products for the healthcare and food service industries (District 9). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 385, 1994 was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Borst, Boyd, Brents, Curry, Dowden, Franklin, Giffin, Golc, Gray, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

2 NOT VOTING: *Gilmer, Jones*

2 NOT PRESENT: *Black, Coughenour*

Proposal No. 385, 1994 was retitled SPECIAL RESOLUTION NO. 54, 1994 and reads as follows:



CITY-COUNTY SPECIAL RESOLUTION NO. 54, 1994

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or directly owned by the company;

WHEREAS, the North American Laboratory Company (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities to consist of the acquisition, construction, installation and equipping a building containing approximately 50,000 square feet to be located at the southwest corner of 62nd Street and Guion Road, Indianapolis, Indiana on approximately 13 acres of land which will be used by the Applicant for the manufacturing of a variety of dry mix products for the healthcare and food service industries; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (the "Project");

WHEREAS, the diversification of industry and the creation of opportunities for gainful employment (fourteen (14) jobs at the end of one year and twenty-seven (27) jobs at the end of three years plus the creation of construction jobs over the construction period) and the creation of business opportunities to be achieved by the acquisition, construction, installation and equipping of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, having received the advice of the Indianapolis Economic Development Commission, it would appear that the financing of the Project would be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, it appears at this time that the acquisition, construction, installation and equipping of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; NOW, THEREFORE:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the retention and creation of opportunities for gainful employment within the jurisdiction of the Issuer, is desirable, serves a public purpose, and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the retention and creation of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed Three Million Dollars (\$3,000,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, construction, installation and equipping of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires December 31, 1994, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said

July 11, 1994

economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) if applicable, the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the date which is sixty (60) days prior to the adoption of this resolution, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the same purpose. Also certain indirect expenses incurred prior to such date will be permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (TD 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Section 1.150-2.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 386, 1994. Councillor Borst reported that the Economic Development Committee heard Proposal No. 386, 1994. The proposal ratifies and extends S.R. No. 124, 1991 concerning Veltri Indiana, Inc. (Original Applicant) and MTJ Enterprises and ATF Automotive Group, Inc. (Successor Applicants) in an amount not to exceed \$8,500,000 for the acquisition, renovation, construction, equipping and expansion of an existing building containing approximately 105,858 square feet located at 415 North Tremont Avenue which will be used for the processing and manufacturing of metal stamping products (District 16). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Jones, for adoption. Proposal No. 386, 1994 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Borst, Boyd, Brents, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

0 NAYS:

1 NOT VOTING: *Williams*

2 NOT PRESENT: *Black, Coughenour*

Proposal No. 386, 1994 was retitled SPECIAL RESOLUTION NO. 55, 1994 and reads as follows:

#### CITY-COUNTY SPECIAL RESOLUTION NO. 55, 1994

A SPECIAL RESOLUTION ratifying and extending certain actions and proceedings with respect to certain proposed economic development bonds taken pursuant to Special Resolution No. 124, 1991.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-1-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to the company or directly owned by the company; and



WHEREAS, Veltri Indiana, Inc. (the "Original Applicant") previously advised the Indianapolis Economic Development Commission and the Issuer that it proposed that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities to consist of the acquisition, renovation, construction, installation, equipping and expansion of an existing building containing approximately 105,858 square feet located at 413 North Tremont Avenue, Indianapolis, Marion County, Indiana on approximately 8.62 acres of land to be used for processing and manufacturing of metal stamping products; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, renovation, construction and installation of various site improvements at the facility (the "Project"); and

WHEREAS, the Issuer, in response to the request by the Original Applicant, adopted City-County Special Resolution No. 124, 1991 on December 9, 1991; and

WHEREAS, it was found that the diversification of industry and the creation of opportunities for gainful employment (an additional number of jobs of approximately seventy-five (75) after one (1) year and one hundred fifty (150) after three (3) years) and the creation of business opportunities to be achieved by the acquisition, renovation, construction, installation, equipping and expansion of the Project would serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens; and

WHEREAS, in actuality two hundred (200) new employment opportunities have been created; and

WHEREAS, having received the advice of the Indianapolis Economic Development Commission, it was found that the financing of the Project would be of benefit to the health or general welfare of the Issuer and its citizens; and

WHEREAS, it was found that the acquisition, renovation, construction, installation, equipping and expansion of the Project would not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; and

WHEREAS, the Indiana operations of Veltri International were organized for business as subchapter - S corporations denominated Veltri Holdings USA, Inc., 100% owned by Michael T.J. Veltri, and MTJ Enterprises, Inc. and ATF Automotive Group, Inc., each being 100% owned by Veltri Holdings USA, Inc., rather than in the name Veltri Indiana, Inc. as originally planned; and

WHEREAS, the land and building improvements are now owned by MTJ Enterprises, Inc. and the machinery and equipment is now owned by ATF Automotive Group, Inc. (collectively, the "Successor applicants"); and

WHEREAS, the Successor Applicants were under intense time pressure in December of 1991 to establish a location and immediately commence operations in Indiana; and

WHEREAS, the Successor Applicants determined that there was not enough cost financable with bond proceeds to justify a bond issue (because MTJ Enterprises, Inc. was initially required to lease the land and building improvements and because ATF Automotive Group, Inc. installed primarily used machinery and equipment) and therefore did not foresee a need to extend Special Resolution No. 124, 1991; and

WHEREAS, MTJ Enterprises, Inc. ultimately acquired the land, building improvements, machinery and equipment on August 16, 1993, from the mortgagee of the landlord/owner; and

WHEREAS, an amount exceeding 15% of the acquisition price has been or will be expended for the rehabilitation of the Project within two (2) years of the later of the acquisition thereof or the issuance of the bonds; and

WHEREAS, the Successor Applicants now desire to ratify and extend the inducement granted pursuant to Special Resolution No. 124, 1991 in order to finance the reimbursement of its purchase costs of the land and building improvements and the rehabilitation portion of the Project and the purchase costs of new machinery and equipment and the installation costs of new and used machinery and equipment portion of the Project; now therefore;

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA



July 11, 1994

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the creation of opportunities for gainful employment (an estimated additional number of jobs of approximately two hundred (200)) within the jurisdiction of the Issuer, is desirable, serves a public purpose, and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer ratify and extend such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the creation of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It initially found, determined, ratified and confirmed that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed Eight Million five Hundred Thousand Dollars (\$8,500,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, renovation, construction, installation, equipping and expansion of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, renovation, construction, installation, equipping and expansion of the Project would serve the public purposes referred to above in accordance with the Act, and now hereby ratifies and confirms that the issuance and sale of revenue Bonds of the Issuer in an amount not to exceed Seven Million Dollars (\$7,000,000) under the Act for the same purposes will serve the same public purposes under the Act.

SECTION 3. In order to ratify and confirm Special Resolution No. 124, 1991, which caused the Successor Applicants to proceed with the acquisition, renovation, construction, installation, equipping and expansion of the Project, this Council hereby finds, determines, ratifies and confirms Special Resolution No. 124, 1991 and that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Successor Applicants and (b) subject to the further caveat that inducement resolution, Special Resolution 124, 1991 as extended hereby, expires December 31, 1994, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Successor Applicants, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such resolutions and authorize the execution and delivery of such instruments and the taking of such action as it may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Successor Applicants to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the adoption of Special Resolution No. 124, 1991, including reimbursement or repayment to the Successor Applicants of monies expended by the Successor Applicants for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition, renovation, construction, installation, equipping and expansion of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Successor Applicants or loan the proceeds of the revenue bonds to the Successor Applicants for the same purpose. Also certain indirect expenses incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Curry asked for consent to hear Proposal No. 276, 1994 at this time. Consent was given.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 276, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 276, 1994 on May 16, June 6 and July 5, 1994. The proposal



appropriates \$199,600 in the County General Fund for the County Coroner to contract with University Clinical Pathology Associates to perform forensic pathology services, to include toxicology and histology work at their facilities. Councillor Rhodes stated that Dr. Karl Manders, County Coroner, worked with Jack Borgerding, Chief Financial Officer to the Council, to attain the best services for Marion County at the least expense. In order to do that it was decided to contract with Indiana University (IU) for full services. IU has agreed to submit the initial reports within 24 hours and the final reports within two weeks. The reports would be generated at IU and at the Coroner's Office simultaneously. Dr. Manders explained that the communications lines have been reopened between IU, the Coroner's Office, the law enforcement agencies, and the Prosecutor's Office.

Councillor Rhodes said that Dr. Manders was supposed to submit a report to the Councillors before this meeting regarding his plan for the Coroner's Office. The contract with IU is Dr. Manders' plan. Mr. Borgerding delivered a memo to all the Councillors concerning information and numbers for the Coroner's Office. The original request from unappropriated County General Funds was \$318,000--that has been reduced to \$122,896.

By a 6-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Rhodes said that he abstained from voting in Committee because he had reservations regarding the contract with IU. He now supports the proposal and asked Dr. Manders to address the Council concerning the contract.

Dr. Manders said that the contract cannot be finalized until this appropriation is approved. IU will do the forensics, and the Coroner's Office will do the administration. With this contract the Coroner's Office has the ability to withhold funds from IU if any of the measures in the contract are not promptly carried out.

Councillor Golc asked if the two forensic pathologists that are currently on the Coroner's staff are contractual employees. Dr. Manders responded that they are contractual employees for the Coroner's Office. Councillor Golc inquired as to what will happen to the two contractual employees if IU is given this contract. Dr. Manders asked Andy Siewert, Office of Corporation Counsel, to answer that question. Mr. Siewert stated that both pathologists are under professional service contract with the Coroner's Office. The contracts have four year terms of which three remain.

Councillor Golc asked if the Coroner's Office will still need these two contractual employees, and if not, who will be paying their salaries. Dr. Manders responded that there are escape clauses in the contract that make it possible for either party to terminate the contract. Councillor Golc asked who will absorb the rest of their salaries if their services are no longer necessary. Dr. Manders replied that he hopes that no further compensation will be necessary.

Councillor Curry asked Dr. Manders if he will represent that he will not be back this year or next for an increase in Character 01 dollars for the two contractual employees. Dr. Manders said that he will represent that. Councillor Curry asked what is the length of the IU contract. Dr. Manders answered that it begins when the contract is signed to January 1 and will be renewable on an annual basis.



July 11, 1994

Councillor Curry asked in the event that there is a dispute between the Coroner's Office and IU, is there a means for arbitration. Dr. Manders said the contract provides for mediation between the two parties. Councillor Curry asked if there is a low risk of litigation in the event of a default by one party or the other. Dr. Manders answered that the possibility of any problems arising the way this contract is written is minimal. The contract is very specific. It is binding on both sides, and it contains a mediation clause. The problem that occurred initially was that there were issues that were not spelled out. With the previous administration these were smoldering problems, and no one addressed them. Dr. Manders said that he inherited this mess, and both sides have had difficulty in communicating.

Councillor Williams said that she has some questions for the Auditor's Office. She asked if an employee sues Marion County and wins, does the money come out of the officeholder's budget that is involved. William Lantz, III, Deputy Auditor, responded in the affirmative.

Councillor Williams asked how many officeholders have come forth with what they view as critical needs and the Auditor has told them that there is no money and so therefore the Council does not see that appropriation request. Mr. Lantz said that the Auditor's Office forwards all appropriation requests to the Council. It is noted on the ordinance request that funds are not available. The Auditor does not prevent them from being sent to the Council.

Councillor Williams said that there are some proposals that have been tabled from other county agencies because the General Fund balance is too low. She said the Council is not in a position tonight to weigh all of this information to make a decision as to which are the most critical needs and which are not. The Coroner's request is the only one before the Council at this meeting. She said that she is going to oppose this proposal because these kinds of discussions ought to happen at budget time when everything is on the table.

Councillor Hinkle said that the Council was expecting a report from Dr. Manders which would delineate what choice the Coroner intended to make, why that choice was being made, what his objectives were going to be and the financial consequences. Councillor Hinkle said that given the fact that the Council did not receive this report, he moved that Proposal No. 276, 1994, as amended, be tabled until August 8, 1994. Councillor Short seconded the motion.

The President passed the gavel to Councillor McClamroch.

The President said that when an officer succeeds another officer he takes what he has and makes some changes. This Coroner made some changes. Everything used to be done at IU, and then it was decided to set up in-house operations. That made it more expensive and it also caused delays. A financial investigation was made of the Coroner's Office and as a result, reductions were made in the administration and more reductions are contemplated. The Coroner has said there have been errors made on both sides. The President said that he believes both parties are sincere in having worked out an agreement. This is probably the best arrangement that can be achieved. The Prosecutor is holding cases until this matter has been settled. The President urged the Councillors to consider the recommendation made by the Committee.

Councillor McClamroch passed the gavel back to the President.



Councillor Hinkle stated that he appreciates that more reductions are being contemplated. The Coroner has said that he inherited a mess. Councillor Hinkle said he does not recall the Coroner's Office being in a mess until this year. He believes Dr. Dennis Nicholas, who served many honorable years in that office, did an admirable job.

Councillor Short stated that he supports the motion to table because he never heard before this meeting that the present pathologists have four-year contracts. The question was asked of Dr. Manders at the last Committee meeting what will happen to these two people and he said that they will be terminated. Councillor Short said that had he known that they had contracts he would have thought differently about the proposal. He is somewhat concerned that 60 days ago this appropriation was for \$300,000, 30 days ago it was \$208,000 and now it is \$122,000--perhaps if the Council waits longer it could be reduced further. He said he would also like to see the new contract between the Coroner's Office and IU before action is taken on this proposal.

Councillor Moriarty asked if escape clauses in the pathologists contracts instruct that the salaries be paid for the remainder of the contract if either party decides to leave the contract. Mr. Siewert answered that the contract allows the Coroner to terminate the contract with 30 days notice with any material breach and it allows the contractors to leave for any reason on 60 days notice. Their salaries would be paid for 30 days.

Councillor Borst said that the County needs the best forensic office that it can have and the public needs a first class operation. He does not support tabling this proposal because he does not believe it will make any difference.

Councillor Beadling asked if the Coroner is a full-time position or part-time and what is the size of his staff. Dr. Manders responded that the County Coroner is a part-time job and there are four to five deputies, a chief deputy, and three secretaries on his staff.

Councillor Beadling asked how much the Coroner's Office will pay IU out of this \$123,000 appropriation. Mr. Borgerding responded that the contract is for \$470,000 annually, billed monthly.

Councillor McClamroch stated that Dr. Nicholas was easily one of the finest public servants that Marion County probably ever had. Councillor McClamroch believes that any implication by Dr. Manders that he inherited a mess is inappropriate. Dr. Nicholas in his last year in office spent \$779,465. Dr. Manders' forecast for this year, if this proposal is adopted, will be either \$1,002,217 or \$985,054, which is a 20 to 25% increase. Councillor McClamroch said that he is opposed to this proposal because it is an appropriation from the County General Fund. The County General Fund is at about half the level of what it needs to be for the County to maintain its bond rating. Judge James Payne has been told no on his request for a computer; the Sheriff needs \$600,000 to pay for food expense; and there is the issue of the county jail which will be heard later at this meeting. He asked how the Council could think about giving the Coroner money when it is facing those issues. The Council cannot afford to continually give additional appropriations to offices that do not have the ability to forecast in their budget what their needs are going to be. This is a matter for the budget process. If Dr. Manders wants to come back through the budget process for 1995 and ask for these dollars at that time, it will be considered. Councillor McClamroch said that he will vote

July 11, 1994

against the 1995 budget if it appears that Dr. Manders is asking for funds to fund termination pay for any employees or independent contractors.

Councillor Franklin said he supports this proposal because the first order of business for local government is public safety and he believes this request comes under public safety. The County has to have competent forensic pathologists. Councillor Smith also stated that he supports the contractual arrangement with IU and will vote for this proposal.

Councillor Hinkle's motion to table until August 8, 1994 failed by the following roll call vote; viz:

12 YEAS: Boyd, Gilmer, Golc, Gray, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, Short, West, Williams

15 NAYS: Beadling, Borst, Brents, Curry, Dowden, Franklin, Giffin, Jones, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith

2 NOT PRESENT: Black, Coughenour

The President called for public testimony at 10:36 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor Borst, for adoption. Proposal No. 276, 1994, as amended, was adopted on the following roll call vote; viz:

15 YEAS: Borst, Curry, Dowden, Franklin, Giffin, Jimison, Jones, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith, West

12 NAYS: Beadling, Boyd, Brents, Gilmer, Golc, Gray, Hinkle, McClamroch, Moriarty Adams, Mullin, Short, Williams

2 NOT PRESENT: Black, Coughenour

Proposal No. 276, 1994 was retitled FISCAL ORDINANCE NO. 55, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 55, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional One Hundred Ninety-nine Thousand Six Hundred Dollars (\$199,600) in the County General Fund for purposes of the County Coroner and reducing certain other appropriations for that office and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (g) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Coroner to contract with University Clinical Pathology Associates to perform forensic pathology services, to include toxicology and histology work at their facilities.

SECTION 2. The sum of One Hundred Ninety-nine Thousand Six Hundred Dollars (\$199,600) be, and the same is hereby, transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts and unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

COUNTY CORONER  
3. Other Services and Charges  
TOTAL INCREASE

COUNTY GENERAL FUND  
199,600  
199,600



SECTION 4. The said additional appropriation is funded by the following reductions:

<u>COUNTY CORONER</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	43,958
2. Supplies	25,506
 <u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	7,240
 Unappropriated and Unencumbered County General Fund	 <u>122,896</u>
 TOTAL REDUCTION	 199,600

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

### **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 177, 1994. The proposal reappoints Larry J. Barrett to the Beech Grove Economic Development Commission. Proposal No. 177, 1994 was adopted by a unanimous voice vote.

Proposal No. 177, 1994 was retitled COUNCIL RESOLUTION NO. 71, 1994 and reads as follows:

#### **CITY-COUNTY COUNCIL RESOLUTION NO. 71, 1994**

A COUNCIL RESOLUTION reappointing Larry J. Barrett to the Beech Grove Economic Development Commission.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Beech Grove Economic Development Commission, the Council appoints:

Larry J. Barrett

SECTION 2. The appointment made by this resolution is for a term ending January 31, 1998. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

PROPOSAL NO. 296, 1994. The proposal appoints John A. Borgerding as Chief Financial Officer to the Council. Proposal No. 296, 1994 was adopted by a unanimous voice vote.

Proposal No. 296, 1994 was retitled COUNCIL RESOLUTION NO. 72, 1994 and reads as follows:

#### **CITY-COUNTY COUNCIL RESOLUTION NO. 72, 1994**

A COUNCIL RESOLUTION appointing John A. Borgerding as Chief Financial Officer of the City-County Council.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. John A. Borgerding is hereby appointed Chief Financial Officer of the City-County Council.

July 11, 1994

SECTION 2. This resolution shall be in effect from and after adoption.

PROPOSAL NO. 345, 1994. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 345, 1994 on June 28, 1994. The proposal, sponsored by Councillors McClamroch, O'Dell, Rhodes and SerVaas, amends the 1994 schedule of regular council meetings. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Curry moved, seconded by Councillor McClamroch, for adoption. Proposal No. 345, 1994, as amended, was adopted by unanimous voice vote.

Proposal No. 345, 1994, as amended, was retitled COUNCIL RESOLUTION NO. 73, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 73, 1994

A COUNCIL RESOLUTION amending the 1994 schedule of regular council meetings.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council hereby amends Council Resolution No. 66, 1993, the 1994 schedule of regular council meetings, by changing the Monday, October 31, 1994 meeting to Tuesday, November 1, 1994, and the Monday, September 26, 1994, meeting to Wednesday, September 28, 1994.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor West asked for consent to hear Proposal Nos. 357, 358 and 359, 1994 at this time. Consent was given.

**SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NOS. 357, 358 and 359, 1994. The President ruled that these proposals would be discussed and voted on together. PROPOSAL NO. 357, 1994. The proposal establishes the "HUD Section 8 Special Revenue Fund." PROPOSAL NO. 358, 1994. The proposal is an appropriation to operate the Marion County Section Eight Subsidy Program by making the Housing Assistance Payments for eligible Section Eight families and paying the administrative expenses associated with the program for the Department of Metropolitan Development, Public Housing Division, from the HUD Section 8 Special Revenue Fund in the amount of \$11,416,185 financed by revenues from the HUD Section Eight Subsidy Grant. PROPOSAL NO. 359, 1994. The proposal is an appropriation to support the Low Income Public Housing Program which covers salaries, materials, and utility expenses for the rehabilitation of the vacant units located at various locations for the Department of Metropolitan Development, Public Housing Division, from the Indianapolis Housing Authority Fund in the amount of \$1,471,147 financed by additional HUD contributions. Councillor West reported that the Metropolitan Development Committee heard these three proposals on July 7, 1994. By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 10:45 p.m. There being no one present to testify, Councillor West moved, seconded by Councillor Smith, for adoption.



Councillor Borst acknowledged the presence of John Nelson, Administrator, Public Housing Division, DMD, and announced that the City's Public Housing has been taken off the troubled list by the Department of Housing and Urban Development (HUD).

Proposal Nos. 357, 358 and 359, 1994 were adopted on the following roll call vote; viz:

22 YEAS: *Beadling, Borst, Boyd, Brents, Curry, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

5 NOT VOTING: *Dowden, Franklin, Giffin, Gray, Schneider*

2 NOT PRESENT: *Black, Coughenour*

Proposal No. 357, 1994 was retitled GENERAL ORDINANCE NO. 93, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 93, 1994

A GENERAL ORDINANCE amending the Revised Code of the Consolidated City and County establishing the "HUD Section 8 Special Revenue Fund."

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Article III of Chapter 135 of the Revised Code of the Consolidated City and County be, and is hereby amended by adding new Sec. 135-341 through Sec. 135-343 to read as follows:

Sec. 135-341. HUD Section 8 Special Revenue Fund. There is hereby established a special non-reverting fund for the Department of Metropolitan Development, Division of Housing, to be designated the "HUD Section 8 Special Revenue Fund." The controller shall deposit in such fund specific revenue sources that are intended for housing assistance under the United States Department of Housing and Urban Development Section 8 Housing Assistance Payment Programs.

Sec. 135-342. Non-Reverting Fund. This fund shall be a continuing, non-reverting fund, with all balances remaining therein at the end of the year and no such balances shall lapse into the city general fund or be diverted directly or indirectly in any manner for any purpose other than that for which such revenues were received. Provided, however, administrative expenses incurred by other city funds for the operation of the Section 8 Program may be reimbursed to those funds.

Sec. 135-343. Appropriations. Amounts shall be paid from such fund only pursuant to appropriations authorized by the City-County Council in the normal budgeting processes.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 358, 1994 was retitled FISCAL ORDINANCE NO. 56, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 56, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Eleven Million Four Hundred Sixteen Thousand One Hundred Eighty-five Dollars (\$11,416,185) in the HUD Section 8 Special Revenue Fund for purposes of the Department of Metropolitan Development, Public Housing Division, and reducing the unappropriated and unencumbered balance in the HUD Section 8 Special Revenue Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

July 11, 1994

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01. (j) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development, Public Housing Division, to operate the Marion County Section Eight Subsidy Program by making the Housing Assistance Payments for eligible Section Eight families and paying the administrative expenses associated with the program.

SECTION 2. The sum of Eleven Million Four Hundred Sixteen Thousand One Hundred Eighty-five Dollars (\$11,416,185) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF METROPOLITAN DEVELOPMENT

PUBLIC HOUSING DIVISION

HUD SECTION 8 SPECIAL REVENUE FUND

1. Personal Services	206,146
2. Supplies	50,000
3. Other Services and Charges	11,110,039
4. Capital Outlay	50,000
TOTAL INCREASE	11,416,185

SECTION 4. The said additional appropriation is funded by the following reductions:

HUD SECTION 8 SPECIAL REVENUE FUND

Unappropriated and Unencumbered	
HUD Section 8 Special Revenue Fund	11,416,185
TOTAL REDUCTION	11,416,185

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller, are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 359, 1994 was retitled FISCAL ORDINANCE NO. 57, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 57, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional One Million Four Hundred Seventy-one Thousand One Hundred Forty-seven Dollars (\$1,471,147) in the Indianapolis Housing Authority Fund for purposes of the Department of Metropolitan Development, Public Housing Division, and reducing the unappropriated and unencumbered balance in the Indianapolis Housing Authority Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01. (j) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development, Public Housing Division, to support the Low Income Public Housing Program which covers salaries, materials, and utility expenses for the rehabilitation of the vacant units located at its 15 communities.

SECTION 2. The sum of One Million Four Hundred Seventy-one Thousand One Hundred Forty-seven Dollars (\$1,471,147) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:



DEPARTMENT OF METROPOLITAN DEVELOPMENT

PUBLIC HOUSING DIVISION

INDIANAPOLIS HOUSING AUTHORITY FUND

1. Personal Services	87,704
2. Supplies	633,454
3. Other Services and Charges	<u>749,989</u>
TOTAL INCREASE	1,471,147

SECTION 4. The said additional appropriation is funded by the following reductions:

INDIANAPOLIS HOUSING AUTHORITY FUND

Unappropriated and Unencumbered	
Indianapolis Housing Authority Fund	<u>1,471,147</u>
TOTAL REDUCTION	1,471,147

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor, are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor McClamroch moved to amend the agenda so that the next item will be Proposal No. 354, 1994, and that the Introduction of Proposals be moved to the end of the agenda. Councillor Short seconded the motion. This motion passed by consent.

**SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 354, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 354, 1994 on June 29, 1994. The proposal declares the construction of the sixth and seventh floors to the Marion County Jail a necessity and directing the Indianapolis-Marion County Building Authority to proceed immediately with the financing and construction of the two additional floors to the Jail. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Schneider, for adoption.

Councillor McClamroch moved to amend Proposal No. 354, 1994, Section 5, by adding the words "and upon approval of this plan by Judge Dillon" at the end of the sentence. Councillor Short seconded the motion. This motion passed by the following roll call vote; viz:

18 YEAS: *Beadling, Boyd, Brents, Curry, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, Rhodes, Schneider, SerVaas, Short, Williams*  
6 NAYS: *Dowden, Moriarty Adams, O'Dell, Shambaugh, Smith, West*  
3 NOT VOTING: *Borst, Giffin, Ruhmkorff*  
2 NOT PRESENT: *Black, Coughenour*

Proposal No. 354, 1994, as amended, was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Boyd, Brents, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
0 NAYS:  
2 NOT VOTING: *Borst, Giffin*  
2 NOT PRESENT: *Black, Coughenour*

July 11, 1994

Proposal No. 354, 1994, as amended, was retitled SPECIAL RESOLUTION NO. 56, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 56, 1994

A SPECIAL RESOLUTION declaring the construction of the sixth and seventh floors to the Marion County Jail a necessity and directing the Indianapolis-Marion County Building Authority to proceed immediately with the financing and construction of the two additional floors to the Jail.

WHEREAS, the Indianapolis-Marion County Building Authority ("Building Authority") was created under the provisions of IC 36-9-13-1 et seq. for the purpose of financing, constructing, renovating, equipping, operating and leasing buildings for public and governmental purposes to governmental units within Marion County; and

WHEREAS, the Building Authority in 1983 financed a five-story addition to the Marion County Jail by issuing \$19,900,000 Jail Building Bonds of 1983 and completed the construction of the addition to the Jail on January 1, 1986; and

WHEREAS, such five-story addition was designed and planned in 1981 and 1982 to provide for additional inmate capacity at some later date by adding the sixth and seventh floors to such addition; and

WHEREAS, the Marion County Sheriff needs to resolve the continuing problem of overcrowding of inmates in the Marion County Jail and the inevitability of the fact that additional inmate space and capacity needs to be constructed; and

WHEREAS, the City-County Council of the City of Indianapolis and of Marion County, Indiana ("Council") now determines that it is in the best interests of the taxpayers and residents of Marion County Jail to provide additional inmate capacity and to lease such space to the County of Marion; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Council hereby declares that a necessity exists for the construction of additional inmate space and capacity of the Marion County Jail to relieve the continuing problem of overcrowding of inmates at the Jail.

SECTION 2. The Council finds that the construction of the sixth and seventh floors to the Marion County Jail is the best solution to providing additional inmate space and capacity at the Marion County Jail and is in the best interests of the taxpayers and residents of Marion County.

SECTION 3. The Council authorizes the Building Authority to proceed with the development of the plans and specifications for the construction of the sixth and seventh floors of the Marion County Jail including related equipment, determine the costs of construction and financing thereof, and to propose the terms and conditions of the lease or lease amendments between the Building Authority and the County for occupancy of such facilities.

SECTION 4. The Council authorizes the Mayor of the City of Indianapolis as the chief executive for the County of Marion, the Auditor of the County of Marion, and the Marion County Sheriff to take all action and to execute such documents as are necessary and appropriate to cause the Building Authority to finance and construct the sixth and seventh floors to the Marion County Jail.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14, and upon approval of this plan by Judge Dillon.

**SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 418, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on June 30, 1994." The Council did not schedule Proposal No. 418, 1994 for hearing pursuant to IC 36-7-4-608. Proposal No. 418, 1994 was retitled REZONING ORDINANCE NO. 86, 1994 and is identified as follows:



REZONING ORDINANCE NO. 86, 1994. 94-Z-78 PIKE TOWNSHIP.  
COUNCILMANIC DISTRICT # 2.  
7259 NEW AUGUSTA ROAD (approximate address), INDIANAPOLIS.  
J & M DEVELOPMENT COMPANY, INC., by James B. Burroughs, requests the rezoning of 16.14 acres,  
being in the I-2-S District, to the D-6II classification to provide for multi-family residential development.

PROPOSAL NO. 419, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on July 8, 1994." The Council did not schedule Proposal No. 419, 1994 for hearing pursuant to IC 36-7-4-608. Proposal No. 419, 1994 was retitled REZONING ORDINANCE NO. 87, 1994 and is identified as follows:

REZONING ORDINANCE NO. 87, 1994. 93-Z-185 WARREN TOWNSHIP.  
COUNCILMANIC DISTRICT # 10.  
3333 NORTH EMERSON AVENUE (approximate address), INDIANAPOLIS.  
MACEDONIA MISSIONARY BAPTIST CHURCH, by Gordon Smith, requests the rezoning of 8.0 acres,  
being in the D-4 District, to the C-S classification to provide for a multi-purpose service center including six churches, a bible college, computer school, an Indianapolis Public Schools kindergarten, a day care center and a garment manufacturing operation.

PROPOSAL NO. 420, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on July 8, 1994." The Council did not schedule Proposal No. 420, 1994 for hearing pursuant to IC 36-7-4-608. Proposal No. 420, 1994 was retitled REZONING ORDINANCE NO. 88, 1994 and is identified as follows:

REZONING ORDINANCE NO. 88, 1994. 94-Z-55 LAWRENCE TOWNSHIP.  
COUNCILMANIC DISTRICT # 4.  
7005 SARGENT ROAD (approximate address), INDIANAPOLIS.  
DAVID R. and DEBORAH A. WILLS request the rezoning of 10.232 acres, being in the SU-34, D-S and SU-16 Districts, to the SU-34 classification to provide for a swim club.

PROPOSAL NO. 421, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on July 8, 1994." The Council did not schedule Proposal No. 421, 1994 for hearing pursuant to IC 36-7-4-608. Proposal No. 421, 1994 was retitled REZONING ORDINANCE NO. 89, 1994 and is identified as follows:

REZONING ORDINANCE NO. 89, 1994. 94-Z-39 WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 18.  
8225-8235 CRAWFORDSVILLE ROAD (approximate address), INDIANAPOLIS.  
JIMMIE M. CATT and INDIANAPOLIS POWER AND LIGHT COMPANY, by Michael J. Kias, request the rezoning of 2.78 acres, being in the D-A and SU-18 Districts, to the C-4 classification to provide for commercial development.

PROPOSAL NOS. 422-426, 1994. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on July 8, 1994." The Council did not schedule Proposal Nos. 422-426, 1994 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 422-426, 1994 were retitled REZONING ORDINANCE NOS. 90-94, 1994 and are identified as follows:

REZONING ORDINANCE NO. 90, 1994. 93-Z-152 WARREN TOWNSHIP.  
COUNCILMANIC DISTRICT # 13.  
2402 SOUTH FRANKLIN ROAD (approximate address), INDIANAPOLIS.

July 11, 1994

CHESTER GOINS, by Thomas Michael Quinn, requests the rezoning of 120 acres, being in the D-A District, to the D-4 classification to provide for residential development.

REZONING ORDINANCE NO. 91, 1994. 94-Z-102 WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 18.

3239 TANSEL ROAD (approximate address), INDIANAPOLIS.

TIMBER PARK DEVELOPMENT CORPORATION, by John W. Van Buskirk, requests the rezoning of 1.1 acres, being in the D-6II District, to the D-5II classification to provide for construction of three residential duplexes.

REZONING ORDINANCE NO. 92, 1994. 94-Z-86 PERRY TOWNSHIP.  
COUNCILMANIC DISTRICT # 25.

7508 LAKE ROAD (approximate address), INDIANAPOLIS.

GEORGE F. KOPETSKY II, by G. Thomas Blankenship, requests the rezoning of 40 acres, being in the D-A District, to the D-A(GSB) classification to provide for excavation of sand, gravel, borrow and other minerals and earthen materials and to provide for a temporary processing plant for the processing and stockpiling of said materials (5 year temporary processing and stockpiling permitted).

REZONING ORDINANCE NO. 93, 1994. 94-Z-96 WARREN TOWNSHIP.  
COUNCILMANIC DISTRICT # 10.

2658 NORTH SHADELAND AVENUE (approximate address), INDIANAPOLIS.

GREENFIELD BUILDERS, INC., by Joseph M. Scimia, requests the rezoning of 9.335 acres, being in the C-5 and I-3-S District, to the C-5 classification to provide for commercial development.

REZONING ORDINANCE NO. 94, 1994. 94-Z-100 WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 18.

5383 WEST ROCKVILLE ROAD (approximate address), INDIANAPOLIS.

CLANCY'S INC. requests the rezoning of 0.144 acre, being in the SU-1 District, to the C-4 classification to provide for employee parking for an existing restaurant.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 243, 1994. The proposal appropriates \$645,000 for the Sheriff to cover food expense for the jail inmates through the end of the year and to pay for inmate housing at the Riverside Community Corrections facility. PROPOSAL NO. 245, 1994. The proposal appropriates \$58,971 for Community Corrections to provide additional security to supervise an increased number of inmates being housed in the Community Corrections Center. PROPOSAL NO. 330, 1994. The proposal appropriates \$99,630 in the County General Fund for the Presiding Judge of the Municipal Court to upgrade staff and equipment in order to be included in the Superior Civil case rotation--this appropriation will cover the salaries of 3 part-time commissioners and 3 full-time court reporters and the purchase of 3 recording machines. PROPOSAL NO. 362, 1994. The proposal is an appropriation to hire a deputy prosecutor to prosecute drunk driving cases and develop a new sentencing program for the Prosecuting Attorney from the County Drug Free Community Fund in the amount of \$36,750 financed by Drug Free Community Fees. Councillor Dowden asked for consent to postpone Proposal Nos. 243, 245, 330 and 362, 1994 until August 22, 1994. Consent was given.

PROPOSAL NO. 363, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 363, 1994 on June 29, 1994. The proposal is an appropriation to establish the Marion County Traffic Safety Partnership which will fund drunk driving law enforcement activities, including roadblocks, saturation patrols and public awareness, for the Prosecuting Attorney from the State and Federal Grants Fund in the amount of \$110,000 financed by a federal grant. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.



The President called for public testimony at 11:01 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 363, 1994 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Borst, Boyd, Brents, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Giffin*

2 NOT PRESENT: *Black, Coughenour*

Proposal No. 363, 1994 was retitled FISCAL ORDINANCE NO. 58, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 58, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional One Hundred Ten Thousand Dollars (\$110,000) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (x) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to establish the Marion County Traffic Safety Partnership which will fund drunk driving law enforcement activities, including roadblocks, saturation patrols and public awareness.

SECTION 2. The sum of One Hundred Ten Thousand Dollars (\$110,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	32,653
2. Supplies	6,500
3. Other Services and Charges	58,000
4. Capital Outlay	5,500
 <u>COUNTY AUDITOR</u>	
1. Personal Services	<u>7,347</u>
 TOTAL INCREASE	110,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>110,000</u>
TOTAL REDUCTION	110,000

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor, are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

July 11, 1994

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 364, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 364, 1994 on June 29, 1994. The proposal is an appropriation to provide Adult Protective Services for fiscal year 1994-95 for the Prosecuting Attorney from the State and Federal Grants Fund in the amount of \$88,770 financed by a state grant. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 11:02 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 364, 1994 was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Borst, Boyd, Brents, Curry, Dowden, Franklin, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

2 NOT VOTING: *Giffin, Golc*

2 NOT PRESENT: *Black, Coughenour*

Proposal No. 364, 1994 was retitled FISCAL ORDINANCE NO. 59, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 59, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Eighty-eight Thousand Seven Hundred Seventy Dollars (\$88,770) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b) and (x) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Prosecuting Attorney to continue to provide Adult Protective Services for fiscal year 1994-95 which is funded by the State Adult Protective Services Grant.

SECTION 2. The sum of Eighty-eight Thousand Seven Hundred Seventy Dollars (\$88,770) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	72,465
<u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	<u>16,305</u>
TOTAL INCREASE	88,770

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>88,770</u>
TOTAL REDUCTION	88,770



SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor, are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 367, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 367, 1994 on June 29, 1994. The proposal transfers and appropriates \$77,000 for the following purposes: (1) for the Marion County Justice Agency to pay the salaries associated with the responsibility of eligibility screening for defendants processed through Pre Trial Services, and (2) for the Court Administrator Agency to make payments for psychiatric services and pro se post conviction relief transcripts. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

The President called for public testimony at 11:08 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 367, 1994, as amended, was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Borst, Boyd, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

2 NOT VOTING: *Brents, Giffin*

2 NOT PRESENT: *Black, Coughenour*

Proposal No. 367, 1994, as amended, was retitled FISCAL ORDINANCE NO. 60, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 60, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Seventy-seven Thousand Dollars (\$77,000) in the County General Fund for purposes of the Court Administrator Agency and the Marion County Justice Agency and reducing certain other appropriations in the County General Fund for the Marion County Public Defender Agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (w), (ee) and (xx) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for the following purposes: (1) for the Marion County Justice Agency to pay the salaries associated with the responsibility of eligibility screening for defendants processed through Pre Trial Services, and (2) for the Court Administrator Agency to make payments for psychiatric services and pro se post conviction relief transcripts.

SECTION 2. The sum of Seventy-seven Thousand Dollars (\$77,000) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

MARION COUNTY JUSTICE AGENCY  
1. Personal Services

COUNTY GENERAL FUND  
22,000

July 11, 1994

COURT ADMINISTRATOR AGENCY

3. Other Services and Charges 55,000

TOTAL INCREASE 77,000

SECTION 4. The said increased appropriation is funded by the following reductions:

MARION COUNTY PUBLIC DEFENDER AGENCY

COUNTY GENERAL FUND

1. Personal Services	22,000
3. Other Services and Charges	<u>55,000</u>
TOTAL REDUCTION	77,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 360, 1994. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 360, 1994 on July 7, 1994. The proposal approves the disbursement of \$3,290,000 of Community Development Block Grant Funds. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Smith, for adoption. Proposal No. 360, 1994 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Borst, Boyd, Brents, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Giffin*

2 NOT PRESENT: *Black, Coughenour*

Proposal No. 360, 1994 was retitled SPECIAL RESOLUTION NO. 57, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 57, 1994

A SPECIAL RESOLUTION approving the amount, location and programmatic operation of certain projects to be funded from Community Development Grant Funds.

WHEREAS, on September 27, 1993, the City-County Council, the City of Indianapolis and of Marion County, Indiana ("Council") adopted City-County Fiscal Ordinance No. 70, 1993, 1994 Annual Budget and Tax levies for the Consolidated City of Indianapolis and for Marion County, Indiana ("Budget Ordinance"); and

WHEREAS, Section 4.01 of the Budget Ordinance, as approved by the Council, reads as follows:

SECTION 4.01. State, local and federal grants.

(a) Grant Applications Authorized. The Mayor of the Consolidated City of Indianapolis is hereby authorized to make such applications as may be required by federal or state laws or regulation in order to apply for, and receive, such state or federal grants or payments as are anticipated, allocated and approved for expenditure by inclusion in this ordinance.

(b) Community Development Grant Funds. Until this Council has approved the amounts, locations and programmatic operation of each project to be funded from Community Development Grant Funds, the amounts appropriated herein for such purposes shall not be encumbered or spent.

(c) Public Purpose Local Grants. The sums appropriated for public purposes grants as part of this ordinance shall not be spent until this Council by resolution approves the amount and identity of the recipient of each grant.



WHEREAS, the Department of Metropolitan Development of the City of Indianapolis, Indiana ("Department of Metropolitan Development") has submitted its 1994 Community Development Block Grant Community Development Committee Recommendation utilizing a portion of the Community Development Grant Funds, to the Council for its approval pursuant to Section 4.01 of the Budget Ordinance; and

WHEREAS, Council now finds that the amounts, locations and programmatic operation of each of the projects submitted by the Department of Metropolitan Development, should be approved; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. That portion of the Community Development Committee's Recommendations for distribution of certain Community Development Block Grant Funds, submitted to the Council by the Department of Metropolitan Development, a copy of which is attached hereto and incorporated herein by reference as Exhibit A, is hereby approved, and the amount, location and programmatic operation of the project set forth therein, is hereby approved.

SECTION 2. This approval shall constitute the approval required under Section 4.01 of the Budget Ordinance.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

EXHIBIT A  
1994 COMMUNITY DEVELOPMENT BLOCK GRANT  
COMMUNITY DEVELOPMENT COMMITTEE RECOMMENDATIONS

United Northwest Area Dev. Corp. (UNWA) \$60,000 (grant)  
The CDC proposes to use grant funds as a subsidy to construct three new single family homes and rehabilitate one home. Investment leverages approximately \$180,000 in private funds.

United Northwest Area Dev. Corp. (UNWA) \$90,000 (grant)  
This project will perform moderate rehabilitation on twenty four owner-occupied low to moderate income homes. Maximum expenditure per address will be \$10,000 at \$5,000 per year.

Near North Development Corporation (NNDC) \$700,000 (grant)  
Funds will be used to produce 100 houses. The total will be a combination of owner occupied rehab, acquisition and new construction.

Westside Community Development Corporation (WCDC) \$250,000 (grant)  
These funds will be used for a combination of homeowner repair assistance and acquisition/rehab activities. It is anticipated that the funds will leverage private dollars.

Southeast Neighborhood Development (SEND) \$160,000 (grant)  
This project will perform incremental rehabilitation on approximately 21 homes utilizing a combination of CDBG, volunteer labor and Central Indiana Council on Aging (CICOA) funds.

Southeast Neighborhood Development (SEND) \$115,000 (grant)  
The CDC will acquire and rehabilitate 7 units in a targeted area of concentration.

Reclamation II \$175,000 (loan)  
This project will renovate 32 units for rental, and eventually ownership, to very low income families. The project is modeled after the Reclamation I project in which 32 units were successfully remodeled in the same neighborhood. CDBG funds will be used for construction costs. Other funding sources will be HOME funds and tax credits.

King Park Area Development Corporation \$150,000 (grant)  
These funds will be used to perform repairs on owner occupied units in the Citizens neighborhood.

Historic Landmarks \$20,000 (loan)  
This project is a joint effort between the Historic Landmarks Foundation of Indiana and King Park Area Development Corporation to create eight units of affordable housing via the renovation of a two-family structure in the Herron-Morton Historic Neighborhood. The units will be utilized to serve housing needs of graduates of the Pathway to Recovery, Inc. drug and alcohol dependency program.

July 11, 1994

Concord	\$150,000 (grant)
This proposal will consist of a combination of repairs to owner-occupant homes, acq. rehabilitation and resale of vacant units, and construction of new units. Concord will partner with Habitat for Humanity to for construction.	
Pilgrim	\$300,000 (loan)
Pilgrim Multi-Service Development in a limited Partnership with UNWADC will rehabilitate IPS School #41 site to create 34 units of affordable housing. Two hundred fifty thousand dollars (\$250,000) in HOME funds will be used toward acquisition of the building and CDBG will be used to finance construction.	
MLK Singles	\$50,000 (loan)
MLKCDC is planning empower its low-income residents via the renovation, lease and eventual sale of 20 scattered site homes. Financing of this project will also include bank loans, tax credits and HOME funds. CDBG funds will be used to help finance construction.	
BOS	\$150,000 (grant)
The CDC will utilize CDBG funds for the incremental rehabilitation of 30 owner-occupied homes in their area.	
ECI	\$75,000 (grant)
This project will provide material and a combination of contractual services and volunteer labor to very low income owner-occupants for the purpose of correcting structural and mechanical systems violations which cause health and safety and/or financial threats to residents. Approximately 62 units will receive moderate repair and weatherization, 17 will receive more significant repair (total of 79). The project will focus on residents with incomes below 50% of median and elderly residents. CICOA funds will be used in tandem with CDBG funds.	
Equity VII	\$600,000 (loan)
The limited partnership proposes a combination of renovation and construction of 75 units on 45 scattered sites. The project is modeled on the successful Equity Fund VI in which 74 units were developed in the same manner. LISC has committed \$450,000 in pre-development funds and \$6000,000 in HOME funds will be used.	
Rehab Resource	\$25,000 (grant)
Rehab Resource provides discount construction supplies to CDCs and referred homeowners. This grant will provide administrative funds for that organization.	
Martindale-Brightwood	\$120,000 (grant)
This grant will fund homeowner repair assistance for approximately 20 units in the Martindale-Brightwood area.	
Survive Alive	\$50,000 (grant)
These dollars will be used to teach school children the necessary skills to survive a home fire. This includes practices in simulated conditions, lessons in fire safety, escape and fire prevention.	
Indianapolis Business Development Center	\$50,000 (grant)
These funds will be used to guarantee loans made to minority businesses. It is anticipated that these dollars will leverage \$1,000,000 in private financing.	
Total	\$3,290,000

### SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 356, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 356, 1994 on July 5, 1994. The proposal, sponsored by Councillor Curry, is an appropriation to cover one part-time employee salary, IMAGIS update, and office rearrangement expenses for the Lawrence Township Assessor from the Property Reassessment Fund in the amount of \$22,000 financed by unappropriated property tax revenues of the Property Reassessment Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.



The President called for public testimony at 11:13 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor Curry, for adoption. Proposal No. 356, 1994 was adopted on the following roll call vote; viz:

23 YEAS: *Beadling, Borst, Boyd, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, Williams*

0 NAYS:

4 NOT VOTING: *Brents, Giffin, Jones, West*

2 NOT PRESENT: *Black, Coughenour*

Proposal No. 356, 1994 was retitled FISCAL ORDINANCE NO. 61, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 61, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Twenty-two Thousand Dollars (\$22,000) in the Property Reassessment Fund for purposes of the Lawrence Township Assessor and reducing the unappropriated and unencumbered balance in the Property Reassessment Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (q) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Lawrence Township Assessor to cover one part-time employee salary, IMAGIS update, and office rearrangement expenses.

SECTION 2. The sum of Twenty-two Thousand Dollars (\$22,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>LAWRENCE TOWNSHIP ASSESSOR</u>	<u>PROPERTY REASSESSMENT FUND</u>
1. Personal Services	5,000
3. Other Services and Charges	12,000
4. Capital Outlay	<u>5,000</u>
TOTAL INCREASE	22,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>PROPERTY REASSESSMENT FUND</u>
Unappropriated and Unencumbered	
Property Reassessment Fund	<u>22,000</u>
TOTAL REDUCTION	22,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 299, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 299, 1994 on July 5, 1994. The proposal abolishes the Marion County Board of Tax Adjustment. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Rhodes moved, seconded

July 11, 1994

by Councillor Coughenour, to strike. Proposal No. 299, 1994 was stricken by unanimous voice vote.

PROPOSAL NO. 368, 1994. Councillor Curry moved that a revised version of Proposal No. 368, 1994 be substituted for Proposal No. 368, 1994 which was passed by the Committee. Councillor Gilmer seconded the motion. Councillor Curry said that the amended version will correct the paragraphs into the proper order. Councillor Curry's motion passed by unanimous voice vote. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 368, 1994 on June 28, 1994. The proposal, sponsored by Councillor Hinkle, amends Sec. 151-64 of the Revised Code amending the rules of the city-county council with respect to staff review of fiscal ordinances. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Curry moved, seconded by Councillor Hinkle, for adoption. Proposal No. 368, 1994, as amended, was adopted on the following roll call vote; viz:

*26 YEAS: Beadling, Borst, Boyd, Brents, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

*0 NAYS:*

*1 NOT VOTING: Giffin*

*2 NOT PRESENT: Black, Coughenour*

Proposal No. 368, 1994, as amended, was retitled GENERAL ORDINANCE NO. 94, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 94, 1994

A PROPOSAL FOR A GENERAL ORDINANCE amending the Rules of Council to require review and report by the chief financial officer with respect to requests for additional appropriations.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sec. 151-64 and Sec. 151-76 of the Revised Code of the Consolidated City and County be, and is hereby, amended by inserting the underlined text, to read as follows:

Sec. 151-64. Fiscal ordinances.

(a) No proposal for a fiscal ordinance shall be initiated unless approved by the proper fiscal officer of the city or county or unless that officer has been notified by the clerk of its receipt at least seven (7) days before introduction. Any proposal for a fiscal ordinance appropriating or transferring funds shall not be approved for introduction if any of the financial data or reports required by this Code are delinquent as to a fund which is the subject of such proposal.

(b) Any proposal for a fiscal ordinance (except the annual budgets) which appropriate the proceeds of any state, federal or private grant shall include substantially the following language:

Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor or controller, are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

(c) The digest of any proposal for a fiscal ordinance shall identify the fund appropriated including a statement of the revenue source for the appropriation.



(d) When a request for an additional appropriation from unappropriated funds is submitted to the council by any city-county agency (including a court), the chief financial officer of the city-county council or his/her designee shall review the policies and expenditures of the requesting agency and within thirty (30) days of the date the request is introduced to the council, submit a report to the appropriate council committee containing a recommendation with regard to the additional appropriation.

Sec. 151-76. Public hearings.

Whenever a proposal is such that by law a hearing must be held before the entire council, the clerk shall advertise the hearing on the date set by the president and place the proposal on the agenda for that meeting under the order of business "special orders: public hearings," in the order of introduction. If the proposal is one for which a report of the chief financial officer is required under subsection (b) of Sec. 151-64, the public hearing shall not be scheduled before the first regular meeting more than thirty (30) days after the proposal is introduced.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

## **INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 365, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE is an appropriation to allocate accumulated fees from the Moving Traffic Deferral Program for the County Auditor, Prosecuting Attorney, County Sheriff and the Presiding Judge of the Municipal Court from the Deferral Program Fee Fund in the amount of \$188,920 financed by revenues from Uniform Traffic Tickets"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 387, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION authorizing Marion County to provide worker's compensation by participation in the Indiana Public Employees' Plan, Inc."; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 388, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Revised Code to provide service of citations by first-class mail"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 389, 1994. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by deleting certain regulations of business practices"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 390, 1994. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE recodifying and amending the Code concerning hotels and places of public lodging"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 391, 1994. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Revised Code by making certain changes in the regulation of adult entertainment establishments"; and the President referred it to the Administration and Finance Committee.



July 11, 1994

PROPOSAL NO. 392, 1994. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code concerning the regulation of pawnbrokers and dealers in secondhand merchandise"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 393, 1994. Introduced by Councillor Rhodes and Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to pay for data entry overtime and an extension of RW Armstrong's contract to cleanup and update the Geographic Information System (GIS) files for the Perry Township Assessor from the Property Reassessment Fund in the amount of \$21,515 financed by unappropriated property tax revenues of the Property Reassessment Fund"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 394, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing William R. Wayman to the Indianapolis-Marion County Building Authority Board of Trustees"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 395, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Lance L. Bundles to the Metropolitan Development Commission"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 396, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Revised Code to terminate the Public Housing Division as a division of the Department of Metropolitan Development"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 397, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION determining the need for a housing authority in Indianapolis and Marion County to carry out the public housing function"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 398, 1994. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to transfer funds to the City of Beech Grove to develop park and recreation facilities by the Department of Parks and Recreation from the Park Land Fund in the amount of \$305,000 financed by revenues from previous sales of Department of Parks and Recreation land"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 399, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to purchase a computer for the Department of Public Safety, Weights and Measures Division, from the Consolidated County Fund in the amount of \$3,100 financed by a transfer between characters in the Consolidated County Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 400, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to continue



various programs for the diversion of misdemeanor populations from their penal facilities for the County Auditor, County Sheriff, Community Corrections, and the Marion County Justice Agency from the County Corrections Fund in the amount of \$294,000 financed by revenues from a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 401, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to fund a certified substance abuse program in the Community Corrections Jail Component for Community Corrections from the Home Detention User Fee Fund in the amount of \$11,400 financed by unspent 1993-94 Home Detention User Fees"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 402, 1994. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to purchase necessary chemicals, supplies and reagents to provide urinalysis, drug and latent print services for the remainder of the year for the Forensic Services Agency from the County General Fund in the amount of \$60,000 financed by a transfer between characters in the County General Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 403, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing stop signs for the Willows subdivision (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 404, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for the Country Brook subdivision (Districts 1, 9)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 405, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing stop signs for the Lakeside Woods subdivision (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 406, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for the Crooked Creek Villages West subdivision (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 407, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for the Garden North subdivision (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 408, 1994. Introduced by Councillor Beadling. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by

July 11, 1994

authorizing stop signs for the Feather Cove subdivision (District 5)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 409, 1994. Introduced by Councillor Beadling. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing stop signs for the Admirals Bay subdivision, Sections 6 and 7 (District 5)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 410, 1994. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing stop signs for the Parc Estates subdivision (District 18)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 411, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing stop signs for the Bolandar Woods subdivision (District 4)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 412, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing stop signs for the Lake Kessler Woods subdivision (District 4)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 413, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing stop signs for the Kessler Pointe subdivision (District 4)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 414, 1994. Introduced by Councillor Jones. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at the Kealing Avenue and 13th Street (District 10)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 415, 1994. Introduced by Councillors Brents, Gilmer and Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by deleting parking restrictions on Market Street between Capitol Avenue and Alabama Street, and adding new parking meters on Market Street between Capitol Avenue and Illinois Street and between Pennsylvania Street and Alabama Street (District 16)"; and the President referred it to the Capital Asset Management Committee.

#### ANNOUNCEMENTS AND ADJOURNMENT

Councillor Boyd stated that he has been asked to offer the following motions for adjournment by:

- (1) Councillor West in memory of Paul W. Nicely; and
- (2) Councillor Williams in memory of John Boner.



Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Paul W. Nicely and John Boner. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 11:30 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 11th day of July, 1994.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

*Burt Serwaas*

President

ATTEST:

*Sullen Hart*

Clerk of the Council

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, AUGUST 8, 1994**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:09 p.m. on Monday, August 8, 1994, with Councillor SerVaas presiding.

Councillor O'Dell led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*27 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*  
*2 ABSENT: Dowden, Williams*

A quorum of twenty-seven members being present, the President called the meeting to order.

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Boyd recognized members from the Devon Neighborhood Association.

**OFFICIAL COMMUNICATIONS**

The Honorable Stephen Goldsmith, Mayor, presented his annual city budget to the Council with the following remarks:

Mister President, members of the Council, thank you for allowing me to present my third budget as Mayor of Indianapolis. I'd like to go through the budget in a little detail and then offer some observations about what the previous budgets you have approved have bought for the citizens of Indianapolis.



The 1995 budget defies most conventional thinking about government. This budget spends less than the one before; not in the way the federal government keeps track, where if spending grows less this year than it did last year you call it a "cut"--this budget actually spends less than last year. It has a frozen tax rate again for the sixth year, and it invests more money in public safety and more money in infrastructure--roads, bridges, sidewalks, sewers and streets--than at any time in our city's history. We in Indianapolis have defied the usual rules of government to produce a smaller government and at the same time more value for our taxpayers.

#### The 1995 Budget Spends Less

This budget that we're proposing for 1995 is, I hope you will agree as you deliberate on it, an enormous victory for the taxpayers of Indianapolis. Operating expenses will be proposed at \$471 million. This is \$2.5 million less than last year, and \$10 million less than 1992, which as you know was the last budget proposed prior to my election as mayor. We have had a reduction in real spending, comparing apples to apples, over that two-year period.

#### The 1995 Budget is Balanced

The 1992 budget was a budget that had the expenses of government exceeding the revenues of government by \$20 million. The appropriations by this body exceeded the revenues by \$20 million, and counted on underspending to balance the budget. We have made a policy decision that we should ask you to appropriate no more than we anticipate taking in. You can see, (refers to graph) this is the minus \$20 million in 1992; in 1993 we closed that gap to \$2.9 million; last year when I presented the budget to you we presented a gap that was \$879,000; and this will be the first budget in more than a decade that if you approve will have an operating balance as contrasted to a deficit. We consider this a victory for the taxpayers. The operating balance for 1995 will be \$500,000.

#### The 1995 Budget Holds the Line on Taxes

The property tax rate that the Council has produced for taxpayers will stay the same again for the sixth straight year, with a frozen tax rate of less than \$4.

#### The 1995 budget has fewer city employees.

The budget for this year will produce the smallest public employee numbers in 20 years in the City of Indianapolis. We will reduce our employment to a 20-year low for the City of Indianapolis. The total budgeted employees of the city of Indianapolis will have gone down from the 1991 number of 5,140 to 3,870 this year. Excluding public safety, public employment in the City of Indianapolis is down 30%. Every department of city government has gotten smaller, with the exception of public safety.

#### The 1995 Budget Devotes More Resources to Public Safety

We believe--and I hope the Council agrees--that the first obligation of city government is safety. We can't have quality schools, we can't have quality neighborhoods, we can't have a quality, thriving economy if folks live in fear and if they are threatened in their day-to-day lives.

Spending on public safety will reach an all-time high in this budget. Thirty-three percent of the total city budget will be spent on public safety. More than half of the tax levy in Center Township and the IPD service district will be spent on public safety. 1993 was the first time that we can find in contemporary Indianapolis history where public safety amounted to more than 50% of the workforce of the city of Indianapolis. In 1995 this number has reached 58% of the total city workforce; 58% will be engaged in the activities of public safety.

As we look at this budget the clear message is that even while we have held the tax rate the same, increased efficiency by our workforce in the departments of capital asset management, public works, metropolitan development, and parks and recreation have allowed us to increase funding for public safety in order to make our streets safe and address the most significant challenge that we as a city face.

#### What the 1995 Budget Buys

In the three years that I've come before this council, I've really said the same thing each time. We have certain themes that I believe are important to the competitiveness of our city and the quality of life in our neighborhoods, and I've repeated these themes. I've said we need to hold the line on taxes, we need to have a small government, we need to empower the line employees, we need to treat our citizens as customers, we need to judge government by outcomes not just inputs, we need to focus on the core services and we need to reduce our overhead.

Tonight I'd like to give you "the rest of the story" and ask you to judge with the taxpayers what has been produced as a result of following these themes. The results are truly remarkable and all of us in this room tonight should share the pride in accomplishing them.

August 8, 1994

If our vision for Indianapolis is "A Competitive City With Safe Streets, Strong Neighborhoods and a Thriving Economy" let's look at each one of these components.

#### Safe Streets

I hope you will agree that in your individual communities community policing is taking root. The number of success stories of well-motivated police officers connecting with their residents in order to increase and enhance the sense of safety in their neighborhoods is dramatic. We have dozens of stories of individual officers turning around small neighborhoods and communities as a result of their personal efforts.

We know from customer surveys that the approval rating of the Indianapolis Police Department has steadily moved up, where today over three quarters of our residents believe that the Indianapolis Police Department does an excellent or good job.

From tracking manpower numbers we know that there are 18% more police hours on the street today than there were in 1992. Not only do we have 100 more officers out there, but in terms of actual street hours, patrol hours on the streets of the city of Indianapolis, we're up 18%.

#### Strong Neighborhoods

This month more streets are being paved, more sidewalks are being done, more curbs are being done, more sewer work is being done than at anytime in the history of the City of Indianapolis. There's more work going on today than ever before.

Second, the comprehensive neighborhood revitalizations that we have undertaken are beginning to show some results. I would like to thank the councilors of the suburban communities for helping us with the recognition that the City's economic future is dependent on the quality and opportunity of success for all its residents. We can't abandon part of our community and expect the rest to be safe. Because the circle of blight, the circle of poverty, the number of families and children living in those conditions will continue to increase until it takes a larger and larger percentage of the pie.

We made a concerted effort when I started to take the seven most difficult communities in the City of Indianapolis, communities of 8,000-20,000 people each, and see if we could produce private and public investment that would give the residents in those communities a chance for success. Today we have successes in Fountain Square and Martindale-Brightwood and Near-North and in several other areas. Some are just taking hold and some are more significant. Last week just as an example (and you could use any one of these neighborhoods), I was standing out at 17th and Broadway, looking at a new swimming pool and a new recreational area. On one side there were hundreds of kids playing where there had not been many kids playing before. If I looked just to the east, there was a new apartment complex--the first new housing on College in the 1700 block in a long period of time. If you looked out at the park between the swimming pool and the health care center, there was a park ranger walking in order to produce safety in that park which had not occurred before. And along the way there were new streets, curbs and sidewalks. There was private investment for the first time in that neighborhood, public investment for the first time in that neighborhood; there was a recognition of safety and there were actually kids out playing where they had been fearful before. We hope to be able to repeat that story, neighborhood by neighborhood, block by block, throughout Indianapolis.

Now if you look at the effect of these investments on our neighborhoods, urban and suburban, it is truly remarkable. There were more housing starts in June of this year in Marion County, for example, than the total number of housing starts in Hamilton and Boone counties put together. Marion County, despite the competitive pressures upon it, is the boom county in the region and it's the boom county because this council and this administration have been willing to take the risk, the tough risk and make the tough decisions to keep Indianapolis as successful in the future as it has been in the past.

We've got \$530 million worth of housing starts and as best as we can tell we're at a five-year high in terms of housing starts in the city of Indianapolis. New single family housing starts are up 13% over last year alone. So if you look at the vision statement again, we're making steps toward safer streets, we're holding the crime rate level. We're strengthening our suburban and our city urban neighborhoods. Finally, let's talk about a thriving economy.

#### Thriving Economy

After two record-setting job creation years in a row, we are now on our way this year to a third straight record in terms of jobs retained or new jobs started in the Indianapolis area. Last week's announcement of the Federal Express expansion alone is of enormous proportions and impact on our community. It will bring additional thousands of jobs not just from the expansion but from leveraged expansion as well.

From the time that I presented you my first budget until today, the unemployment rate in Indianapolis is down from 5.9% to a little less 4.6%. We're at a very, very competitive situation with increased employment opportunities for anybody in our community who wants to work.



We took a survey of local businesses and found that 90% of them are optimistic about their chances of growing in the next several years in Indianapolis.

Preparing for Challenges Ahead

It's been a tough time over the last few years, as we've tried to hold the line on taxes, reduce the size of government, and address the infrastructure deficit presented to us by the Chamber of Commerce. But today we are clearly one of the hottest cities in the United States of America.

At the same time, we face enormous competitive pressures. We have a police and fire pension that's underfunded by about \$420 million. We have not yet completely figured out how to pay back the United Airlines bond payments, which are \$10-15 million a year. The Environmental Protection Agency is on the way to imposing demands upon us, particularly combined sewer overflow mandates, that could amount to \$200-400 million a year. And we face the general demands that every other large city does: the threats of violence, school decay, urban decay and unequal opportunity for the citizens of our community. We need to fight those things.

In closing, I would like to say that this council has done an excellent job insisting that every taxing authority who brings a budget before this council has a frozen property tax rate. Whether it's the Library Board, or Health and Hospital, Metro Transit—or any of the others who come before you and whom you can persuade—they all need to manage down their costs and increase their efficiency.

County government is under enormous pressure; I know the demands on the county side from criminal justice and juvenile welfare issues are enormous. We're going to have ask everybody, every elected official of every taxing district in the city of Indianapolis and Marion County and the townships to understand that our tax rates are still sometimes double what they are in the adjoining counties, that capital disinvestment demands are significant and that we, because we are the oldest city in the region, have the greatest demands put upon us by mandates from the EPA and others.

I know some of you have supported us, some of you have humored us, and some of you have criticized us; but I hope that you will all look at this budget as a way to take bold initiatives to downsize government to get it down to its core, to invest money and create opportunity and do all of this in a way that makes our citizens proud. Our citizenry has more confidence in the City of Indianapolis today than it has had in a long period of time. I think they have that confidence because we have produced more value with less than has ever been done before. If you approve the budget submitted tonight, I pledge to you the same sort of thought and the same sort of progress over the next 12 months.

Williams G. Lantz, III, Deputy Auditor, had the following remarks concerning the county budget:

Mr. President, members of the City-County Council, and citizens of Marion County, tonight the Auditor submits to you the 1995 proposed budget for Marion County.

As you know, the county's budget is approached differently than that of the City of Indianapolis due to the fact that no single elected official stands before this body and tells you that they control the way all agencies administer their appropriations. Our county agencies are made up of constitutionally created and individually elected offices and agencies. Marion County is very fortunate to have dedicated officials and civil servants committed to providing the citizens of this county with the best level of services given the resources available. Each individual office holder is willing to detail their budget in your committees over the next few weeks. And, although the City certainly presents you with their top priorities for the coming year, we in the county are presenting you our 53 top priorities. Those priorities are 53 county agencies providing services ranging from justice and law enforcement, to tax administration, to cooperative extension services. This budget for 1995 is able to fund each of these priorities.

This budget proposal delivers to the people of Marion County a constant level of services with no increase in property or income tax rates. Before you tonight is a funded budget where the revenues exceed the level of recommended appropriations. Before you tonight is a budget that meets the service needs of our constituents. And, I believe, before you tonight is a budget that conservatively but adequately provides resources to each agency.

Many events have taken place in 1994 and are expected to occur during 1995 that have a direct impact on the Auditor's ability to develop a sound budget plan. Let me take a moment to discuss a few items that have had a direct impact on the County General Fund balance and influence the steps that must be taken in the future to keep that balance at a reasonable level.

- (1) No new significant revenue sources have been identified in the County General Fund for 1995. Property tax receipts will grow in 1995 as a result of the projected 2% increase in assessed value from 1994 to



August 8, 1994

1995. County Option Income Tax receipts are expected to increase by \$650,000. The property tax rate and County Option Income tax rate will remain flat in 1995.

- (2) As required by the expiration of the current union contract on December 31, 1994, negotiations are being conducted with the Marion County Sheriff Deputies. The outcome of those negotiations may require a modification to the current budget proposal.
- (3) In July of 1994 Marion County began paying the employees 3% contribution of PERF. Although the 1994 base budget was increased to provide appropriations to meet this obligation, the 1995 budget also must be increased to provide funding for the entire year.
- (4) The capacity of the Marion County Jail is at the maximum allowed under a federal court order. The Marion County Sheriff's Department has petitioned the Federal Court to allow double bunking to take place and has requested that an additional two floors be added to the jail to relieve the pressure that the current maximum limit has placed on Marion County. In anticipation of future construction, some of the increase in property tax that is a result of the increase in assessed value is being reserved to cover future capital costs.

In anticipation of the fiscal constraints noted above, the Auditor's Office developed a set of budgetary guidelines for the 1995 fiscal year in an effort to permit the maximum allocation of resources. These guidelines included the following specific requirements:

- (1) Personal services are restricted to: No increases for elected officials and no increase in 1995 agency budgets over 1994 amounts.
- (2) No increase in overall Agency Budgets excluding Building Rent and ISA Data Center Charges.
- (3) Building Rent and ISA Data Center charges reflect the amount billed county agencies.

As a result, the county's 1995 General Fund budget is a funded budget with revenues of \$122.8 million and expenditures of \$121.7 million which leaves budgeted revenue in excess of expenditures by approximately \$1.1 million dollars.

There are six areas of significant change that are reflected in the 1995 budget.

- (1) Information Services Agency  
An ordinance is being introduced tonight moving the Information Services Agency budget from the General Fund and place it in a special revenue fund. As a result \$10,099,735, that would have been appropriated in the County General Fund, is requested to be appropriated in the Information Services Special Revenue Fund. This change is being requested in order to allow the Information Services Agency to develop a charge back system that will qualify for federal indirect cost recovery.
- (2) Marion County Healthcare Center  
Although the total requested budget for the Marion County Healthcare Center did not increase from 1994 to 1995, the appropriation for Personal Services was increased to reflect necessary staffing levels required to be maintained until the facility is closed. Current plans call for the Healthcare Center to cease operations on December 31, 1995. That date corresponds with the revised projected opening date of the new facility being constructed by Health and Hospital. Although the 1994 budget was prepared with a projected budget deficit for the Healthcare Center of \$236,900, revised estimates project a 1994 deficit of \$1,486,000 and the 1995 budget reflects a projected deficit of \$1,825,000.
- (3) Law Enforcement Equitable Share Fund  
The Law Enforcement Fund has been divided into two funds. This division is required due to Federal law which requires that certain distributions from the Federal Government be maintained in a separate fund. The total revenues and expenditures of the two funds are not anticipated to change as a result of this adjustment.
- (4) Marion County Division of Family and Children  
For the first time in many years The Marion County Division of Family and Children has not issued general obligation bonds in the Welfare Fund to provide funding for ongoing operations. The Division has represented to the Auditor's Office that borrowing will not be required for all of 1994. The Division had issued bonds in 1993 in the amount of \$19,350,000. Through the efforts of the Auditor's Office, the Marion County Division of Family and Children, and the Marion Juvenile Court Judge, reimbursements of Federal funds have been sufficient to offset the need to issue bonds. Many of the reimbursements were for prior year expenses and the same level of reimbursements is not expected to continue in 1995. Our office is of the opinion that the 1995 tax rate for the Marion County Division of Family and Children should decline to reflect the absence of the debt tax rate. However, it appears that a change in the state law will allow the Division to retain a tax rate in 1995 close to what they had in 1994.



(5) Reassessment Fund

The Reassessment Fund budget request has increased by \$837,000 from 1994 to 1995. Reassessment will take place in 1995 for taxes paid in 1996. The budget increase reflects the increase in activity associated with the reassessment.

(6) Marion County Coroner's Office

The Marion County Coroner's Office was restructured during 1994. The restructuring involved contracting pathology services with Indiana University. The 1995 budget reflects this change and shows an increase from the 1994 budget of \$835,138 to a 1995 budget of \$1,011,750.

We all know that Hoosiers have grown to expect the qualities of hard work and frugality. It is these virtues that have brought this county through difficult financial times while other counties throughout the nation were less successful in meeting this challenge. As we look back over a period between 1990 and 1993, our financial health was being severely threatened by the specter of endless spending on expensive entitlement programs. This period resulted in record high debt being issued for poor relief and child welfare expenses, just to pay their bills at year end. From the 1990 \$12 million poor relief bond to the '93 Welfare debt of \$19.3 million, Marion County, as with other urban areas, was on the brink of disaster. But by providing leadership in these areas, the County has come a long, long way. 1994 will mark the first year in recent memory that we have not been forced to issue any debt for poor relief or welfare.

An additional financial measure involves the creation of the Indiana Children's Trust Fund, a non-tax fund to promote family preservation and the prevention of child abuse.

Although these great financial accomplishments are certainly something to be proud of, we still have struggled with County General Fund revenue shortfalls below our original '94 expectations. This combined with additional appropriations that have already occurred in '94 requires us to re-examine the way the County "conducts business" both from a revenue and expenditure perspective. This is essential to preserving our County General Fund balances in '95 and beyond.

As is the case throughout the country, the county continues to see a leveling off of revenues with an ever increasing demand for services. Without question, it is becoming harder and harder to hold the line on the cost of government.

County agencies that are revenue producing must begin to focus on maximizing revenue collections, especially non-tax sources. We see much more of an effort being exerted with revenues deposited in special revenue funds.

On the expense side, many County agencies have had to adjust to the demands of recent budget limitations by reconsidering their service delivery policies and face the difficult decisions that less critical services have to be deferred or discontinued in order to accomplish their objectives. However, we must now face up to the fact with a continuation of limited revenues, we must search for ways to stretch our dollars through various consolidation efforts and efficiency analysis.

We must examine areas of intra-agency as well as inter-agency operations in order to attempt to tighten the belt at least one more notch. However, we must also locate any duplicity that may exist which could be eliminated through consolidating operations.

The Auditor recently spoke with a partner at a local accounting firm who informed him of a "re-engineering" project they had been asked to examine. The request did not come from any private sector business or even any governmental entity. It came from a central Indiana church organization. The point here is that all organizations, be they private or public, church or state, profit or non-profit are searching for ways to become more competitive in order to survive financially in the 21st century.

In closing, the Auditor believes, that this proposed budget presents the Council with the opportunity to address our financial challenges head on and in a fiscally prudent manner, while at the same time, fund much needed services that meet the needs of the community and protect the citizens of Marion County.

I thank you for your attention, and on behalf of the Auditor submit this budget for your review.

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

August 8, 1994

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, August 8, 1994, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Beurt SerVaas  
President, City-County Council

August 4, 1994

Robert G. Elrod, General Counsel  
241 City-County Council Office  
200 East Washington Street  
Indianapolis, IN 46204

Re: Zoning Ordinance Amendment 94-AO-7  
(General Ordinance No. 92, 1994)

Dear Bob:

This letter is official notification that the Metropolitan Development Commission, at its August 3, 1994 meeting, considered Zoning Ordinance Amendment 94-AO-7 (General Ordinance No. 92, 1994) as amended and adopted by the City-County Council on July 11, 1994. The Commission, by a vote of 6-0, did ratify and adopt the Council's amended version of the legislation.

Sincerely,  
s/J. June Dugan, Administrator  
Neighborhood and Development Services Division

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 56, 1994, an appropriation to operate the Marion County Section Eight Subsidy Program by making the Housing Assistance Payments for eligible Section Eight families and paying the administrative expenses associated with the program for the Department of Metropolitan Development, Public Housing Division, from the HUD Section 8 Special Revenue Fund in the amount of \$11,416,185 financed by revenues from the HUD Section Eight Subsidy Grant

FISCAL ORDINANCE NO. 57, 1994, an appropriation to support the Low Income Public Housing Program which covers salaries, materials, and utility expenses for the rehabilitation of the vacant units located at various locations for the Department of Metropolitan Development, Public Housing Division, from the Indianapolis Housing Authority Fund in the amount of \$1,471,147 financed by additional HUD contributions

FISCAL ORDINANCE NO. 58, 1994, an appropriation to establish the Marion County Traffic Safety Partnership which will fund drunk driving law enforcement activities, including roadblocks, saturation patrols and public awareness, for the Prosecuting Attorney from the State and Federal Grants Fund in the amount of \$110,000 financed by a federal grant

FISCAL ORDINANCE NO. 59, 1994, an appropriation to provide Adult Protective Services for fiscal year 1994-95 for the Prosecuting Attorney from the State and Federal Grants Fund in the amount of \$88,770 financed by a state grant

FISCAL ORDINANCE NO. 60, 1994, transferring and appropriating \$77,000 for the following purposes: (1) for the Marion County Justice Agency to pay the salaries associated with the responsibility of eligibility screening for defendants processed through Pre Trial Services, and (2) for the Court Administrator Agency to make payments for psychiatric services and pro se post conviction relief transcripts

SPECIAL RESOLUTION NO. 51, 1994, recognizing the Marion County Children's Guardian Home Guild



SPECIAL RESOLUTION NO. 52, 1994, recognizing the East 91st Street Christian Church.

SPECIAL RESOLUTION NO. 53, 1994, amending City-County Special Resolution No. 72, 1990, as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds

SPECIAL RESOLUTION NO. 54, 1994, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds

SPECIAL RESOLUTION NO. 55, 1994, ratifying and extending certain actions and proceedings with respect to certain proposed economic development bonds taken pursuant to Special Resolution No. 124, 1991

SPECIAL RESOLUTION NO. 56, 1994, declaring the construction of the sixth and seventh floors to the Marion County Jail a necessity and directing the Indianapolis-Marion County Building Authority to proceed immediately with the financing and construction of the two additional floors to the Jail

SPECIAL RESOLUTION NO. 57, 1994, approving the disbursement of \$3,290,000 of Community Development Block Grant Funds

GENERAL ORDINANCE NO. 93, 1994, establishes the "HUD Section 8 Special Revenue Fund"

GENERAL ORDINANCE NO. 94, 1994, amending Sec. 151-64 of the Revised Code amending the rules of the city-county council with respect to staff review of fiscal ordinances

Respectfully,  
s/Stephen Goldsmith, Mayor

### **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

### **APPROVAL OF JOURNALS**

President SerVaas called for additions or corrections to the Journal of July 11, 1994. There being no additions or corrections, the minutes were approved as distributed.

### **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 472, 1994. This proposal, sponsored by Councillor Franklin, recognizes the Brokenburr Trails summer youth team. Councillor Franklin asked Councillor Short and everyone involved with the Brokenburr Trails summer youth team to join him at the podium. Councillor Franklin read the resolution, and framed copies of the document were presented to the team members, coordinators and supervisors. Ron Cummins, a team coordinator, expressed appreciation for the recognition. Councillor Franklin moved, seconded by Councillor Short, for adoption. Proposal No. 472, 1994 was adopted by unanimous voice vote.

Proposal No. 472, 1994 was retitled SPECIAL RESOLUTION NO. 58, 1994 and reads as follows:

#### **CITY-COUNTY SPECIAL RESOLUTION NO. 58, 1994**

A SPECIAL RESOLUTION recognizing the Brokenburr Trails summer youth team.

August 8, 1994

WHEREAS, when the call went out by the Indianapolis Network for Employment and Training for summer youth programs, the Department of Metropolitan Development's Public Housing Division seized the opportunity to create positive programs for young people; and

WHEREAS, an extremely successful program was at the Brokenburr Trails community which organized activities for their youth; and

WHEREAS, the Brokenburr Trails action included Operation Cooldown with the Indianapolis Fire Department, movies, reading, an anti-drug play written and performed by the youth, painting with the Art League, the Community Health Fair with the Marion County Health Department, tutoring younger children, time for learning about values, goals, job interviewing and career exploration and once a week the teens explored the various departments of Uni-Gov, the City-County Council and how they can participate in government; and

WHEREAS, the young people gave back to the community by planting two flower gardens and doing cleaning work; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the Brokenburr Trails summer youth team: Dorian Anderson, Tinniea Anderson, Keisha Britt, Brandon Eldridge, Nicole Golden, Donte Graves, Jamie King, Loretta King, Tony King, Latausha Lewis, Travis Powell, Kellitta Turner, Jeffery West, Cassandra Westmoreland and Shanta Westmoreland; and coordinators and supervisors Bonnie Barfield, Ron Cummings, Mary Scifres and Karen Westmoreland.

SECTION 2. The positive attitudes, values, work habits and broadened horizons planted in some young minds this summer at Brokenburr Trails will manifest themselves for decades to come.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 474, 1994. The proposal, sponsored by Councillor Borst, stays the taking effect of certain regulations of the Board of Capital Asset Management. Councillor Borst stated that there has been some confusion on Chapters 400 and 500 of the Regulations that deal with construction of stormwater drainage improvements. This resolution stays the effective date until November 4, 1994 so the respective Council Committees can have a hearing on the regulations. Councillor Borst moved, seconded by Councillor Coughenour, for adoption. Proposal No. 474, 1994 was adopted by unanimous voice vote.

Proposal No. 474, 1994 was retitled COUNCIL RESOLUTION NO. 74, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 74, 1994

A COUNCIL RESOLUTION staying the taking effect of certain regulations of the Board of Capital Asset Management.

WHEREAS, the Board of Capital Asset Management on April 6, 1994 adopted its Resolution 94-16 adopting Chapters 400 and 500 of the Regulations entitled "Indianapolis Stormwater Design and Construction Standards," and

WHEREAS, under Sec. 271-31 of the Revised Code of the Consolidated City and County, the Council may within thirty (30) days of the filing of such regulations with the council stay their effective date for up to ninety days, and

WHEREAS, the regulations were filed with the Clerk of the Council on July 13, 1994, and

WHEREAS, the Council desires further review of such regulations, now, therefore:



BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The effective date of Chapters 400 and 500 of the Regulation of the Board of Capital Asset Management entitled "Indianapolis Stormwater Design and Construction Standards" are hereby stayed and shall not be come effective until November 4, 1994, unless the council shall prior thereto cancel this stay.

SECTION 2. The Committees on Capital Asset Management and Public Works are requested to review the regulation and report to the council

PROPOSAL NO. 372, 1994. The proposal appoints Isaac Randolph to the Metropolitan Board of Zoning Appeals II. Proposal No. 372, 1994 was adopted by unanimous voice vote.

Proposal No. 372, 1994 was retitled COUNCIL RESOLUTION NO. 75, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 75, 1994

A COUNCIL RESOLUTION appointing Isaac Randolph to the Metropolitan Board of Zoning Appeals II.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Board of Zoning Appeals II, the Council appoints:

Isaac Randolph

SECTION 2. The appointment made by this resolution is for a term ending 12/31/94. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

PROPOSAL NO. 394, 1994. The proposal reappoints William R. Wayman to the Indianapolis-Marion County Building Authority Board of Trustees. Proposal No. 394, 1994 was adopted by unanimous voice vote.

Proposal No. 394, 1994 was retitled COUNCIL RESOLUTION NO. 76, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 76, 1994

A COUNCIL RESOLUTION reappointing William R. Wayman to the Indianapolis-Marion County Building Authority Board of Trustees.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis-Marion County Building Authority Board of Trustees, the Council appoints:

William R. Wayman

SECTION 2. The appointment made by this resolution is for a term ending June 3, 1998. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

The President asked Councillor Borst to place the following proposal before the Council since it was not on the agenda.

*August 8, 1994*

PROPOSAL NO. 475, 1994. The proposal concerns the renaming of the Hoosier Dome. Councillor Borst said that last week there was an announcement in the media that the Hoosier Dome was going to be renamed the RCA Dome. Public opinion has been very strong against this name change. In the spirit of trying to understand what has happened, he introduced this resolution. He said that the Council was not consulted on this move even though negotiations have been going on for six months. This resolution asks for information on how and why the Hoosier Dome was renamed the RCA Dome. Councillor Borst read the resolution at this time.

The President asked Councillor Borst if he wanted this referred to a committee. Councillor Borst said he is against sending it to committee; he would like the whole Council to hear it at the August 22nd Council meeting.

Councillor Schneider urged the Councillors to vote in opposition to this proposal. There are to be no tax dollars in the construction of the new baseball stadium. This arrangement with RCA is one of the ways to that end. There are three or four professional sporting organizations in the City that have some concern with regard to financings. He said if the Council desires he has a Municipal Corporations Committee meeting scheduled for Thursday, August 11, 1994, and the Committee could hear this matter at that time. Councillor Schneider moved that Proposal No. 475, 1994 be referred to the Municipal Corporations Committee. Councillor Smith seconded this motion.

Councillor Beadling asked if there is a deadline on this matter.

Joseph Loftus, Deputy Mayor, stated that this was a extremely difficult political decision for the Mayor to make regarding the renaming of the Hoosier Dome to the RCA Dome. However, it was clearly a matter of financial necessity. The City must move forward with the negotiations with the City's sport franchises, in particular with the Indianapolis Pacers. Mr. Loftus feels that the community should commend RCA for agreeing to provide the City with additional financial assistance. The Mayor has been very explicit that the use of taxpayers dollars for the support of the sport franchises is inappropriate. As a result this seemed like a creative opportunity to allow the City to move forward with those negotiations.

Councillor Giffin commended Councillor Borst for wanting the Council to be informed, but he does not support this resolution. He does not want the Council as a whole to be perceived as not supporting the careful initiatives that have been taken on behalf of the taxpayers to try to make ends meet in the very important area of sports. He supports sending this proposal to the Municipal Corporations Committee.

Councillor Gilmer said that he is in favor of the Municipal Corporations Committee hearing this proposal so everyone can get their questions answered.

Councillor Moriarty Adams asked Mr. Loftus if the administration informed the Council at all of the negotiations and does the administration feel that the negotiations are as delicate as the dealings to finance the Circle Centre. Mr. Loftus responded that he called Councillors to brief them on the discussions that were occurring on this matter. He also provided them with the factual information concerning the financial situation of the franchises and why the Mayor believed this was clearly the correct financial decision, although maybe not the correct political decision to make.



Councillor Coughenour said that she believes this information was due the Council before it became known to everyone else. She also said that Section 2 of the proposal asks the Capital Improvement Board (CIB) and RCA to postpone finalizing this matter until this presentation to the Council is made. She said she doubts if they are willing to wait until this goes to Committee and then comes back to Council.

The President said that he has a letter which he received from the Indianapolis Convention Center today, dated August 4, and the letterhead reads "Indianapolis Convention Center and RCA Dome." He believes a decision has already been made. He does not think it is in the Council's province to do anything about the name change. The President said that the information that Council Borst requests is pertinent and probably would be best handled in a committee rather than before the whole Council.

Councillor Rhodes suggested that Channel 16 tape the hearing, and that this portion of the hearing not start until approximately 6:00 p.m. so that members of the public will be able to attend. Councillor Schneider said that his committee will be hearing four agencies' budgets on August 11, so Proposal No. 475 will probably be heard between 6:30 and 7:00.

Councillor Short said that he has found that the CIB is very forthright with information. He does not think anything should be done that will slow the process. This matter needs to move forward.

The President asked for a voice vote on sending Proposal No. 475, 1994 to the Municipal Corporations Committee. He ruled that Proposal No. 475, 1994 would be sent to the Municipal Corporations Committee by a majority voice vote. Councillor Borst asked for division. Proposal No. 475, 1994 was referred to the Municipal Corporations Committee by the following roll call vote; viz:

*17 YEAS: Boyd, Brents, Curry, Franklin, Giffin, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, Rhodes, Schneider, SerVaas, Shambaugh, Smith*  
*10 NAYS: Beadling, Black, Borst, Coughenour, Gilmer, Jimison, O'Dell, Ruhmkorff, Short, West*  
*2 NOT PRESENT: Dowden, Williams*

Councillor Gray said that many times the Mayor makes decisions and then he wants the Council to back him up. Had the Mayor come to the Council in the beginning, then the Council would not be in this predicament.

## **INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 427, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishes the 'Information Services Internal Services Fund'"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 428, 1994. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to pay salary and wages for the remainder of the year for the Marion County Healthcare Center from the County General Fund in the amount of \$350,000 financed by transfers within the Center's budget"; and the President referred it to the Community Affairs Committee.

August 8, 1994

PROPOSAL NO. 429, 1994. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE an appropriation to pay the expenses of wards in institutions for the Marion County Office of Family and Children from the Welfare General Fund in the amount of \$4,278,082 financed by revenues from federal reimbursements under Title IV-A and IV-E received in excess of the original amount budgeted"; and the President referred it to the Community Affairs Committee.

Councillor McClamroch read the following motion:

Mr. President:

I move to suspend the requirements of Sec. 151-76 of the Council Rules as to Proposal No. 429, 1994, and authorize the Clerk to advertise the same for public hearing before this Council at its meeting on August 22, 1994.

Councillor McClamroch said that this proposal does not appropriate new tax dollars; this is a reimbursement from the federal government. Councillor Curry seconded the motion. This motion passed by a unanimous voice vote.

PROPOSAL NO. 430, 1994. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION approving the schedule of charges for the care and maintenance of patients or residents of the Marion County Healthcare Center"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 431, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION approving the Mayor's appointment of Elaine E. Bedel as Director of the Department of Metropolitan Development for a term ending December 31, 1994"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 432, 1994. Introduced by Councillor Boyd. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Aaron E. Haith to the Metropolitan Development Commission"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 433, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE approving an application for designation of the former Target Distribution Center as an Industrial Recovery Site"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 434, 1994. Introduced by Councillor Boyd. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION requesting the establishment of a panel to review the operations and current circumstances of the Department of Parks and Recreation and to make recommendations to the Council"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 435, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to purchase a computer and printer and to attend an out-of-state judicial seminar for the Superior Court, Criminal Division, Room Four, from the County General Fund in the amount of \$2,824



financed by a transfer between characters in that fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 436, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to pay jail rent for the County Sheriff from the Cumulative Capital Development Fund in the amount of \$316,000 and reducing appropriations for that agency and the Court Administrator Agency"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 437, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to pay overtime to officers working Project 55 for the County Sheriff from the State and Federal Grants Fund in the amount of \$60,000 financed by revenues from a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 438, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to pay for personnel services for the Julian Center for the Marion County Justice Agency from the State and Federal Grants Fund in the amount of \$9,830 financed by revenues from a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 439, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to provide various criminal justice, treatment and education programs promoting comprehensive local alcohol, tobacco and drug abuse prevention initiatives for the Marion County Justice Agency from the Drug Free Community Fund in the amount of \$564,773 financed by revenues from that fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 440, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to pay salaries and other costs associated with law enforcement officers participating in the multi-jurisdictional pursuit of illegal drug activities for the County Auditor, Prosecuting Attorney, County Sheriff, and Marion County Justice Agency from the State and Federal Grants Fund in the amount of \$445,140 financed by revenues from a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 441, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to fund increased telephone expenses and urine processing fees and to cover expenditures concerning office security, office operations and other special needs for the Superior Court, Criminal Division, Probation Department, from the Supplemental Adult Probation Fees Fund in the amount of \$16,000 financed by revenues from that fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 442, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to cover contract photocopying services for the Superior Court, Criminal Division, Probation Department, from the Supplemental Adult Probation Fees Fund in the amount of \$2,500



*August 8, 1994*

financed by a transfer between characters in that fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 443, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by eliminating the age cap for the County Sheriff's Reserves"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 444, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION amending the Community Corrections program for fiscal year 1994-1995, and approving the actions of the Community Corrections Advisory Board for and on behalf of the Superior Court, Juvenile Division's 1994-1995 grant application to the State"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 445, 1994. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code authorizing intersection controls for the Arlington Commons subdivision (District 23)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 446, 199. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code authorizing intersection controls for the Southport Crossing subdivision (District 24)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 447, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code authorizing intersection controls for the Eagles Watch subdivision (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 448, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code authorizing intersection controls for the Traders Hollow subdivision (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 449, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code authorizing intersection controls for the Normandy Farms subdivision (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 450, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code authorizing intersection controls for Deville Place subdivision (District 4)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 451, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code authorizing intersection controls for the Ivy Ridge subdivision (District 4)"; and the President referred it to the Capital Asset Management Committee.



PROPOSAL NO. 452, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code authorizing a traffic signal at Zionsville Road and 74th Street (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 453, 1994. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code authorizing a multi-way stop at Washington Boulevard and 32nd Street (Districts 6, 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 454, 1994. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by deleting the no parking anytime restriction on Illinois Street, on the eastside, from 39th Street to 40th Street (District 6)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 455, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Comprehensive Zoning Maps of Marion County by updating base maps #6 and #18"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 456, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE which is the annual budget for the Police Special Service District for 1995"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 457, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE which is the annual budget for the Fire Special Service District for 1995"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 458, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE which is the annual budget for the Solid Waste Collection Special Service District for 1995"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 459, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is the annual budget for the Indianapolis Public Housing Authority for 1995"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 460, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is the annual budget for the Revenue Bonds Debt Service Funds for 1995"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 461, 1994. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is the annual budget for the Marion

August 8, 1994

County Office of Family and Children for 1995"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 462, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is the annual budget for the Metropolitan Emergency Communications Agency for 1995"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 463, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is the annual budget for Indianapolis and Marion County for 1995"; and the President referred it to various committees.

### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NOS. 464-471, 1994. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on August 4, 1994."

Councillor Boyd made the following motion:

Mr. President:

I move that Proposal No. 464, 1994 (Rezoning Petition No. 94-Z-57, 94-DP-2) be scheduled for a hearing before this Council at its next regular meeting on August 22, 1994 at 7:00 p.m. and that the Clerk read the announcement of such hearing and enter same in the minutes of this meeting.

This motion passed by unanimous voice vote. Proposal No. 464, 1994 is identified as follows:

94-Z-57 (94-DP-2) WASHINGTON TOWNSHIP. COUNCILMANIC DISTRICT # 11.  
4650 MILLERSVILLE ROAD (approximate address), INDIANAPOLIS.  
DAVIS DEVELOPMENT, L.P., by Thomas Michael Quinn, requests the rezoning of 49.897 acres, being in the SU-34 District, to the D-P classification to provide for residential development in the floodway fringe.

The Council did not schedule Proposal Nos. 465-471, 1994 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 465-471, 1994 were retitled REZONING ORDINANCE NOS. 95-101, 1994 and are identified as follows:

REZONING ORDINANCE NO. 95, 1994. 94-Z-109 (94-DP-4) FRANKLIN TOWNSHIP.  
COUNCILMANIC DISTRICT # 23.  
5909 BRADSTON WAY (approximate address), INDIANAPOLIS.  
PROPERTY GROUP ONE, LTD, by Stephen D. Mears, requests the rezoning of 4.78 acres, being in the D-P District, to the D-P classification to provide for the construction of five four-plexes containing a total of 20 condominiums.

REZONING ORDINANCE NO. 96, 1994. 94-Z-130 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 20 and 21.  
2201-2202 through 2301-2302 SOUTH SHELBY STREET (approximate address), INDIANAPOLIS.  
METROPOLITAN DEVELOPMENT COMMISSION requests the rezoning of 4.43 acres, being in the C-1, C-2, C-3 and D-5 Districts, to the C-3 classification to conform zoning to the Garfield Park/Pleasant Run Neighborhood Plan.

REZONING ORDINANCE NO. 97, 1994. 94-Z-56 WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 19.  
9186 ROCKVILLE ROAD (approximate address), INDIANAPOLIS.



DAVID L. STROUP, by Michael J. Kias, requests the rezoning of 14.92 acres, being in the D-A District, to the C-S classification to provide for a family entertainment facility, to include miniature golf, roller skating, a soft playroboics facility, restaurant, movie theater and similar uses.

REZONING ORDINANCE NO. 98, 1994. 94-Z-85 (Amended) CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 10.

2815 and 2825 EAST 25TH STREET (approximate address), INDIANAPOLIS.  
CATHEDRAL OF FAITH BAPTIST CHURCH requests the rezoning of 0.747 acre, being in the C-3 and D-5 Districts, to the SU-1 classification to provide for an addition to an existing church.

REZONING ORDINANCE NO. 99, 1994. 94-Z-97 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 15.  
4530, 4534, and 4538 EAST 16TH STREET (approximate address), INDIANAPOLIS.  
GRAYMARK HOMES requests the rezoning of 0.42 acre, being in the C-1 District, to the D-5 classification to provide for single-family residential development.

REZONING ORDINANCE NO. 100, 1994. 94-Z-104 PERRY TOWNSHIP.  
COUNCILMANIC DISTRICT # 25.  
321 and 401 WEST EDGEWOOD AVENUE (approximate address), INDIANAPOLIS.  
BUILDERS DEVELOPMENT, by Thomas Michael Quinn, requests the rezoning of 37.16 acres, being in the D-A(FF)(FW) District, to the D-3(FF)(FW) classification to provide for construction of a single-family residential development.

REZONING ORDINANCE NO. 101, 1994. 94-Z-108 WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 17.  
4102 ROCKVILLE ROAD (approximate address), INDIANAPOLIS.  
BRENT COOK requests the rezoning of 0.640 acre, being in the C-3(FF) District, to the C-4(FF) classification to provide for the expansion of an existing lawnmower sales and services business.

PROPOSAL NO. 473, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on August 5, 1994." The Council did not schedule Proposal No. 473, 1994 for hearing pursuant to IC 36-7-4-608. Proposal No. 473, 1994 was retitled REZONING ORDINANCE NO. 102, 1994 and is identified as follows:

REZONING ORDINANCE NO. 102, 1994. 94-Z-103 WASHINGTON TOWNSHIP.  
COUNCILMANIC DISTRICT #3.  
3850 EAST 82ND STREET (approximate address), INDIANAPOLIS.  
SKINNER AND BROADBENT, by Philip A. Nicely, requests the rezoning of 40.369 acres, being in the C-S District, to the C-S classification to reduce the maximum square footage of offices from 329,000 to 253,445 in order to accommodate a family entertainment center (previously not a permitted use in "Area B" as described in Petition No. 89-Z-208).

### **SPECIAL ORDERS - PUBLIC HEARING**

[Clerk's Note: In Councillor Dowden's absence, Councillor Franklin presented the Public Safety and Criminal Justice Committee reports.]

PROPOSAL NO. 330, 1994. Councillor Franklin reported that the Public Safety and Criminal Justice Committee heard Proposal No. 330, 1994 on July 27, 1994. The proposal, sponsored by Councillor Golc, appropriates \$47,543 in the County General Fund for the Presiding Judge of the Municipal Court to upgrade staff and equipment in order to be included in the Superior Civil case rotation--this appropriation will cover the salaries of 3 part-time commissioners and 3 full-time court reporters and the purchase of 3 recording machines. The appropriation was originally for \$99,630 and was amended in Committee by decreasing the appropriation to \$47,543 and will be financed by fees collected from Uniform Traffic Tickets.

August 8, 1994

By a 7-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Golc stated that this proposal will help address the courts' case load problems and will become effective October 1, 1994. There are many people who have been involved with this matter for many years. He urged the Councillors to support this proposal.

The President introduced Judge John Price, Municipal Court No. 7, and Phil Kappas, member of the Marion County Bar Association.

Councillor Hinkle asked if this will have to be funded by new tax dollars in 1995. William Lantz, III, Deputy Auditor, replied that the \$47,543 is the Municipal Courts' share of the traffic ticket deferral program from the time the program began in late 1993 through February of 1994. Additional distribution will be computed this year so there will be sufficient money to cover one hundred percent of the expenses in 1995.

The President called for public testimony at 9:07 p.m. There being no one present to testify, Councillor Franklin moved, seconded by Councillor Golc, for adoption. Proposal No. 330, 1994, as amended, was adopted on the following roll call vote; viz:

24 YEAS: *Beadling, Black, Boyd, Brents, Curry, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

1 NAY: *Borst*

2 NOT VOTING: *Coughenour, Rhodes*

2 NOT PRESENT: *Dowden, Williams*

Proposal No. 330, 1994, as amended, was retitled FISCAL ORDINANCE NO. 62, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 62, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Forty-seven Thousand Five Hundred Forty-three Dollars (\$47,543) in the County General Fund for purposes of the Presiding Judge of the Municipal Court and reducing certain other appropriations for that office.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (dd) of the City-County Annual Budget for 1994, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Presiding Judge of the Municipal Court to cover the salaries of three part-time commissioners and three full-time court reporters and to purchase three recording machines. This request is made in order to bring the Municipal Court staff and equipment to the equivalent of the Superior Courts so that the Municipal Civil Courts may be included in the Superior Civil case rotation.

SECTION 2. The sum of Forty-seven Thousand Five Hundred Forty-three Dollars (\$47,543) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

PRESIDING JUDGE OF THE MUNICIPAL COURT

- 1. Personal Services
- 4. Capital Outlay

COUNTY GENERAL FUND

\$34,500  
3,728



COUNTY AUDITOR

1. Personal Services - fringes

9,315

TOTAL INCREASE

\$47,543

SECTION 4. The said increased appropriation is funded by the following reductions:

PRESIDING JUDGE OF THE MUNICIPAL COURT

3. Other Services and Charges

TOTAL REDUCTION

COUNTY GENERAL FUND

\$47,543

\$47,543

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 144, 1994. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 144, 1994 on June 20 and August 1, 1994. The proposal, sponsored by Councillor Shambaugh, recodifies and amends the Code, Division 1, Article IV, Chapter 8, Buildings and Construction. The proposal adds additional public members to the Board of Electric Examiners and the Board of Heating and Cooling Examiners. It eliminates the Board of Wrecking Examiners and transfers its duties to the Board of Contractors. These boards will also have a procedure whereby people will be able to improve their home if they can prove they have the trade skills to do so. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor West moved, seconded by Councillor Shambaugh, for adoption. Proposal No. 144, 1994, as amended, was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Giffin, Gilmer, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

0 NAYS:

2 NOT VOTING: *Golc, Hinkle*

2 NOT PRESENT: *Dowden, Williams*

Proposal No. 144, 1994, as amended, was retitled GENERAL ORDINANCE NO. 95, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 95, 1994

A GENERAL ORDINANCE recodifying and amending Division 1, Article IV, Chapter 8, Buildings and Construction, of the Code of Indianapolis and Marion County, Indiana.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County" be, and is hereby amended to add a new Chapter 875 (which is a revision and recodification of Division 1, Article IV, Chapter 8 of the Code of Indianapolis and Marion County) that deletes the stricken-through text and inserts the underlined text to read as follows:

CHAPTER 875. CONTRACTORS AND SKILLED TRADES  
ARTICLE I. CONTRACTORS

Sec. ~~8-160~~ 875-101. Required.

Any person, partnership or corporation which has entered into a contractual relationship to engage in any construction activity with another person, partnership or corporation which holds a property interest in the real estate on which construction activity is occurring must be a listed contractor under this ~~division article~~. This

requirement shall not apply, however, with reference to persons, partnerships or corporations which are described in section 8-31(b), (d) or (e) and whose construction activity is confined to the activities described in those subsections.

Sec. ~~8-161~~ 875-102. Board of contractors.

A board of contractors (hereinafter in this ~~division~~ article referred to as the "board") shall consist of eight (8) members and shall be responsible for carrying out the provisions of this ~~division~~ article relative to listing of contractors. The administrator shall be a nonvoting member of the board, ex officio. The seven (7) voting members of the board shall be appointed by the mayor for two-year terms in such manner that three (3) terms expire on January 1st of one year and four (4) other terms expire on January 1st of the next year. ~~Six (6) of the seven (7) members appointed by the mayor shall be persons who are listed in accordance with this division and who have had at least five (5) years' experience as contractors, and the remaining appointed member shall be a person (not listed under this division) representing the public at large. Appointment of the six (6) listed contractors shall be made in such manner that varied fields of contracting, such as driveway construction, excavation, grading, major construction and one- and two-family house building, are represented on the board. Two (2) of the seven (7) members appointed by the mayor shall be persons representing the public at large and shall not be persons listed under this article, one of whom shall be a licensed engineer. All other members appointed by the mayor shall be persons listed in accordance with this article, who have at least five (5) years experience as a contractor.~~ Each of appointed members shall be a resident of the consolidated city. Members shall not receive compensation for serving on the board. Those members appointed by the mayor shall serve at his pleasure and shall hold no other elective or appointive office in the consolidated city.

Sec. ~~8-162~~ 875-103. Organization of board.

The board shall meet annually in each January on a date specified for regular monthly meetings in offices of the consolidated city and elect a chairman and any other officers, who shall serve one year or until a successor is chosen, whichever is longer.

Sec. ~~8-163~~ 875-104. Meetings of board.

The board shall hold regular meetings once each month in offices of the consolidated city if there is some official business to come before the board. Special meetings may be called by the chairman or any three (3) members upon giving written notice fixing the time and place of the meeting at least two (2) days in advance of the special meeting. Four (4) appointed members of the board shall constitute a quorum for the transaction of all business.

Sec. ~~8-164~~ 875-105. Record of proceedings.

The board shall keep a summary record of its proceedings.

Sec. ~~8-165~~ 875-106. Registry of listings.

The board shall maintain a registry of all persons, partnerships and corporations which apply for listing and all persons, partnerships and corporations which receive approval as listed contractors.

Sec. ~~8-166~~ 875-107. Qualifications for person, partnership or corporation to be listed as contractor.

A person, partnership or corporation shall be entitled to receive a listing as a contractor if the following requirements are met:

- (1) An application form indicating the name, address and legal business status of the contractor has been submitted to the division of development services; and
- (2) The listing fee specified in section 8-87 has been paid; and
- (3) A surety bond meeting the requirements of section 875-109 has been posted and certificates of insurance meeting the requirements [of section 875-110 have been submitted, unless these requirements] are relieved because a person meets the inspector status requirement stated in section 875-108; and



- (4) The person, partnership or corporation does not presently have a listing issued under this ~~division article~~ currently suspended nor has it had such a listing revoked within a period of the preceding three hundred sixty-five (365) days; and
- (5) The partnership does not presently have a partner or the corporation does not presently have an officer who has a listing under this ~~division article~~ currently suspended or who has had such a listing revoked within the preceding three hundred sixty-five (365) days; and
- (6) The partnership does not presently have a partner or the corporation does not presently have an officer who, within the preceding three hundred sixty-five (365) days, served as a partner in a partnership or an officer in a corporation listed under this ~~division article~~ at the time when actions related to policies or practices of the partnership or corporation occurred which provided a primary basis on which the listing of the partnership or corporation was revoked or suspended for more than one hundred eighty (180) days.

Unless these requirements are met a person, partnership or corporation shall not be entitled to receive a listing as a contractor. No prerequisites other than the six (6) listed in this section shall be imposed in determining which persons, partnerships and corporations may be listed contractors.

Sec. ~~8-167~~ 875-108. Inspector status.

The inspector status is met by a person who is employed full-time by the consolidated city in a position in which he makes or supervises the making of inspections to determine compliance with building standards and procedures, Article II provisions or this ~~division article~~ of this chapter, the proper performance of any land alteration (as defined in section 10½-9 of this Code) in accordance with state law and Chapter 10½ of this Code, the proper performance of all sewer work (as defined in section 27-1 of this Code) in accordance with state law (including rules of the fire prevention and building safety commission), rules and requirements of the department of public works and Chapter 27 of this Code and the proper performance of all driveway work (as defined in section 28-139 of this Code) and the proper performance of all excavation work (as defined in section 28-163 of this Code) in accordance with state law and Chapter 28, Article III, Divisions 2 and 3 of this Code. Such a person shall not use his listing other than with respect to his employment by the City of Indianapolis. Listing under this section terminates by operation of law when the person is no longer employed by the consolidated city and does not meet the requirements of section 875-109 and section 875-110.

Sec. ~~8-169~~ 875-109. Bond.

(a) Before a listing is issued by the division of development services to any person, partnership or corporation, the administrator shall require the applicant to file a surety bond in the amount of ten thousand dollars (\$10,000.00). The bond shall be maintained in full force and effect for a period of not less than one year. The bond shall set forth the name, phone number and address of the agent representing the bonding company and shall be:

- (1) Issued by a surety authorized to do business in Indiana;
- (2) Payable to the Consolidated City of Indianapolis or an unknown third party as obligee;
- (3) Conditioned upon:
  - a. Compliance with requirements set forth in ~~Article IV~~ of this chapter which must be met to retain listing and licensure; and
  - b. Prompt payment of all fees owed the consolidated city as set forth in this chapter, Chapter 10½, Chapter 27 and Chapter 28 of this Code; and
  - c. Prompt payment to the Consolidated City of Indianapolis for any loss or expense for damages to property of the Consolidated City of Indianapolis caused by any action of the contractor, his agents, employees, principals, subcontractors, materialmen or suppliers in violation of requirements of state statute, city regulation or this Code, which requirements must be met to properly carry out construction activity, a land alteration (as defined in section 10½-9 of this Code), sewer work (as defined in section 27-1 of this Code), driveway work (as defined in section 28-139 of this Code) or excavation work (as defined in section 28-163 of this Code)

while engaged in any construction activity, land alteration, sewer work, driveway work or excavation work; and

- d. Prompt payment to a person, partnership or corporation which is an unknown third party obligee for any:
  1. Losses arising out of violations,
  2. Expenses necessary to correct violations, and
  3. Court costs and attorney fees allowed by the court incurred in connection with the commencement and prosecution of a court action to recover such losses and expenses for violation of [requirements of state statute, city] regulation or this Code, which requirements must be met to properly carry out construction activity, a land alteration, sewer work, driveway work, or excavation work on property of the unknown third party obligee, caused by any action of the contractor, his agents, employees, principals, subcontractors, materialmen or suppliers while engaged in any construction activity, land alteration, sewer work or driveway work. However, the surety is not responsible under the bond for losses or expenses arising out of negligent conduct or improper workmanship unless such conduct or improper workmanship violates requirements of state statute, city regulation or this Code, which requirement must be met to properly carry out construction activity, a land alteration, sewer work, driveway work, or excavation work.

(b) The administrator may accept in lieu of the surety bond a properly conditioned irrevocable letter of credit in the amount of ten thousand dollars (\$10,000.00) if the city controller approves the obligor financial institution as being financially responsible and if the corporation counsel approves the letter of credit as affording the same protections to the City of Indianapolis and an unknown third party as the protections afforded by the surety bond.

(c) The obligation of the surety and financial institution relative to this bond or letter of credit is limited to ten thousand dollars (\$10,000.00). A surety or financial institution may pay on the bond or disburse from the letter of credit to pay a claim in full at any time when that claim and pending claims (reflected by written notice to the surety or financial institution) together do not exceed the unpaid penalty of the bond or the undisbursed balance of the letter of credit. If written notice is received of claims which exceed the unpaid penalty of the bond or undisbursed balance of the letter of credit, the surety or financial institution shall pro-rate payment according to the amount of such claims.

Sec. ~~8-169~~ 875-110. Insurance.

Insurance requirements are met if the person, partnership or corporation secures insurance covering all construction activity accomplished by the listed contractor or under permits obtained by the listed contractor, any land alteration (as defined in section 10½-9 of this Code) accomplished by the listed contractor or under a permit obtained by the listed contractor, all sewer work (as defined in section 27-1 of this Code) accomplished by the listed contractor or under a permit obtained by the listed contractor, and all driveway work (as defined in section 28-139 of this Code) accomplished by the listed contractor or under a permit obtained by the listed contractor and thereafter maintains such insurance in full force and effect:

- (1) A public liability and property damage insurance policy assuring the listed contractor and naming the Consolidated City of Indianapolis as an "additional assured," providing for the payment of any liability imposed by law on such listed contractor or the Consolidated City of Indianapolis arising out of operations being performed by or on behalf of the listed contractor in the minimum amounts of five hundred thousand dollars (\$500,000.00) for combined bodily injury and property damage coverage of five hundred thousand dollars (\$500,000.00) for any occurrence relative to which there is injury or death to one or more persons and one hundred thousand dollars (\$100,000.00) for any occurrence relative to which there is damage to property. A certificate of such policy shall be delivered to the administrator of the division of development services.
- (2) Workmen's compensation insurance covering the personnel employed for death or injury arising out of operations being performed by or on behalf of the listed contractor. A certificate of such insurance shall be delivered to the administrator of the division of development services. This provision shall not apply if the listed contractor has no employees and gives appropriate notice to the division of development services.



The insurance carrier shall give notice both to the listed contractor and the division of development services at least fifteen (15) days before such insurance is either canceled or not renewed, and the certificate shall state this obligation.

Sec. ~~8-170~~ 875-111. Approval for listing.

Approval of a person, partnership or corporation as a listed contractor shall be by the board or the administrator acting on behalf of the board. Upon receipt of such approval the controller shall issue the listing. The listing shall be for a one-year period. No listing shall be issued by the controller to any person, partnership or corporation except as provided in this ~~division~~ article.

Sec. ~~8-171~~ 875-112. Listing personal, not transferable.

No listing issued under the provisions of this ~~division~~ article shall be assigned or transferred.

Sec. ~~8-172~~ 875-113. Suspension or revocation of listing for a person.

The board may, pursuant to section 875-115, suspend the listing of a person for a period of up to three hundred sixty-five (365) days or revoke the listing of a person if one of the following is shown:

- (1) The listed contractor made any materially false statement of fact on his application for listing;
- (2) The listed contractor failed to post and maintain the surety bond and insurance required by section 875-109 and section 875-110;
- (3) The listed contractor acted fraudulently or with deceit in his relationship with other persons, partnerships or corporations with regard to construction activity, a land alteration (as defined in section 10½-9), sewer work (as defined in section 27-1 of this Code), driveway work (as defined in section 28-139 of this Code), or excavation work (as defined in section 28-163 of this Code);
- (4) Construction activity, land alteration, sewer work, driveway work or excavation work for which the listed contractor was responsible as obtainer or as transferee of the permit was performed either incompetently or in such manner that it does not meet standards of reasonable workmanship or does not comply with building standards and procedures, provisions of state law, regulations of the city or provisions of this Code;
- (5) The listed contractor failed to correct a violation of building standards and procedures, provisions of state law, regulations of the city or provisions of this Code relative to construction activity, land alteration, sewer work, driveway work or excavation work for which the listed contractor was responsible as permit obtainer or permit transferee after an authorized official or employee of the consolidated city issued a notice of code violation, revoked a permit or issued a stop-work order and the violations causing any of these actions remained uncorrected for a period of ten (10) days from the date when the listed contractor received notice of the code violation, revocation of permit or stop-work order, or in the instance where a period of ten (10) days was not sufficient, such longer period of time as was fixed by the authorized official or employee in writing;
- (6) The listed contractor has consistently failed to apply for or obtain required permits for construction activity, land alteration, sewer work, driveway work, or excavation work accomplished by the listed contractor;
- (7) The listed contractor has consistently failed to timely file certificates of completion and compliance, as required, for construction activity accomplished pursuant to his listing;
- (8) The listed contractor consistently failed to give notice of availability for inspection at designated stages of construction activity or sewer work as required by section 8-61 and section 27-22 of this Code;
- (9) The listed contractor has attempted to conceal violations of building standards and procedures, provisions of state law, regulations of the city or provisions of this Code relative to construction activity, land alteration, sewer work, driveway work, or excavation work;

- (10) The contractor listed under section 875-108 is no longer employed by the consolidated city and has not met the requirements of section 875-107;
- (11) The listed contractor has not properly paid the fee specified by section 8-87 for a listing which has been issued, or is delinquent in other fees owed pursuant to this chapter, Chapter 10½, section 27-22 or Chapter 28, Article III, Divisions 2 and 3 of this Code.

Sec. ~~8-173~~ 875-114. Suspension or revocation of listing for partnership or corporation.

The board may, pursuant to section 875-115, suspend the listing of a partnership or corporation for a period of up to three hundred sixty-five (365) days or revoke the listing of a partnership or corporation if one of the following is shown:

- (1) A materially false statement of fact was placed on the listed contractor's application for listing by an agent of the listed contractor;
- (2) The listed contractor failed to post and maintain the surety bond and insurance required by section 875-109 and section 875-110;
- (3) Agents of the listed contractor acted fraudulently or with deceit in its relationship with other persons, partnerships or corporations with regard to construction activity, a land alteration (as defined in section 10½-9), sewer work (as defined in section 27-1 of this Code), driveway work (as defined in section 28-139 of this Code), or excavation work (as defined in section 28-163 of this Code);
- (4) Construction activity, land alteration, sewer work, driveway work or excavation work for which the listed contractor was responsible as obtainer or as transferee of the permit was performed either incompetently or in such manner that it does not meet standards of reasonable workmanship or does not comply with building standards and procedures, provisions of state law, regulations of the city or provisions of this Code;
- (5) The listed contractor failed to correct a violation of building standards and procedures, provisions of state law, regulations of the city or provisions of this Code relative to construction activity, land alteration, sewer work or driveway work for which the listed contractor was responsible as permit obtainer or permit transferee after an authorized official or employee of the consolidated city issued a notice of code violation, revoked a permit or issued a stop-work order and the violation(s) causing any of these actions remained uncorrected for a period of ten (10) days from the date when the listed contractor received notice of the code violation, revocation of permit or stop-work order, or in the instance where a period of ten (10) days was not sufficient, such longer period of time as was fixed by the authorized official or employee in writing;
- (6) The listed contractor has consistently failed to apply for or obtain required permits for construction activity, land alteration, sewer work, driveway work or excavation work accomplished by the listed contractor;
- (7) The listed contractor consistently failed to give notice of availability for inspection at designated stages of construction activity or sewer work as required by section 8-61 and section 27-22 of this Code;
- (8) The listed contractor has consistently failed to timely file certificates of completion and compliance, as required, for construction activity accomplished pursuant to its listing;
- (9) The listed contractor has not properly paid the fee specified by section 8-87 for a listing which has been issued, or is delinquent in other fees owed pursuant to this chapter, Chapter 10½, section 27-22 of Chapter 28, Article III, Divisions 2 and 3 of this Code;
- (10) The partnership presently has a partner or the corporation presently has an officer who has a listing under this ~~division~~ article currently suspended or who has had such a listing revoked within the preceding three hundred sixty-five (365) days;
- (11) The partnership presently has a partner or the corporation presently has an officer who, within the preceding three hundred sixty-five (365) days, served as a partner in a partnership or an officer in a corporation listed under this ~~division~~ article at the time when actions related to policies or practices



of the partnership or corporation occurred when provided a primary basis on which the listing of the partnership or corporation was revoked or suspended for more than one hundred eighty (180) days;

- (12) The listed contractor has attempted to conceal violations of building standards and procedures, provisions of state law, regulations of the city or provisions of this Code relative to construction activity, land alteration, sewer work, driveway work or excavation work.

Sec. ~~8-174~~ 875-115. Hearing and appeal.

(a) The date and place for a revocation or suspension hearing shall be fixed by the board. At least ten (10) days before such date a written copy of the charges, prepared by the consolidated city, and notice of the time and place of the hearing thereon shall be served upon the listed contractor, either by hand delivery to the charged listed person or to the partner of a charged listed partnership or officer of a charged listed corporation, or by certified mail with return receipt addressed to the listed contractor at its main place of business as shown by the listed contractor's application for listing. The ten (10) or more days shall run from the date such notice is mailed as shown by the postmark thereon.

(b) The listed contractor may appear in person or by counsel, produce evidence (including testimonial and documentary evidence), make argument and cross-examine witnesses at such hearing. The consolidated city shall have the same right. The board may cause or allow any other relevant evidence to be introduced. On the basis of the evidence presented at the hearing, the board shall make findings and enter an order in accordance with such findings, which shall not become effective until ten (10) days after notice and a copy thereof has been served upon the listed contractor, in the same manner required for notice of the hearing.

(c) On or before ten (10) days after service of said order, the listed contractor may appeal therefrom to the director of the department of metropolitan development, by serving a notice of appeal upon the director either in person or by filing it at his office, with a copy thereof delivered to the board at the office of the administrator of the division of development services, who shall deliver such copy to the board. Unless such appeal is so taken, the order of the board shall be final.

(d) If so appealed, the order of the board shall be stayed until the appeal is heard and determined by the director of the department of metropolitan development, under the procedure prescribed by statute for hearings on the suspension or revocation of licenses. The director shall thereupon render such decision as he finds justified and sustained by the evidence, either affirming, reversing or modifying the terms of the order of the board. The director's order shall be final and conclusive and be binding upon both the listed contractor and the board.

Sec. ~~8-175~~ 875-116. Improper display.

It shall be unlawful for any person, partnership or corporation accomplishing construction activity, land alteration, sewer work or driveway work to use the word "listed" in connection with its business if such person, partnership or corporation is not a listed contractor. Such a person, partnership or corporation shall not, for example, use the word "listed" on any display used for advertising or identification or on any of its business forms.

ARTICLE II. LICENSING AND REGULATION OF ELECTRICAL CONTRACTORS

Sec. ~~8-180~~ 875-201. License required.

Licensure as an electrical contractor is required to accomplish the connection of electrical power for on-site construction activity, to install, alter, replace, service or repair a system distributing electrical power to service equipment supplying power to factory-constructed dwellings located in a mobile home park and to install, modernize, replace, service or repair all or any part of an electrical power distribution system. An electrical contractor shall also be entitled to install, modernize, replace, service or repair space heating equipment or space cooling equipment using electricity as its primary source of energy, excluding work on any refrigerant cycle.

Construction activity which this ~~division~~ article allows licensed electrical contractors to carry out is hereafter referred to in this ~~division~~ article as "electrical work."

A person not licensed under this ~~division~~ article who is employed by a licensed electrical contractor may, however, accomplish electrical work while working under the direction and control of a person who is a licensed

electrical contractor, but shall not otherwise enter into or offer to enter into a contractual relationship to engage in the electrical work.

A person not licensed under this ~~division article~~ may, however, accomplish electrical work in carrying out ordinary maintenance and repair if such work is accomplished by the person in the regular course of his sole, full-time employment by the owner of the premises where such ordinary maintenance and repair occurs.

Sec. ~~8-180.5~~ 875-202. Types of licenses.

There shall be two (2) types of licenses approved by the board pursuant to this chapter. Electrical work may be accomplished under these licenses as follows:

- (1) The "master" license authorizes the holder thereof to perform electrical work without limitation.
- (2) The "residential" license authorizes the holder thereof to perform electrical work in one- or two-family residential structures as defined in the Indiana One- and Two-Family Dwelling Code. All such electrical work must conform to the requirements delineated in the Indiana Electrical Rules as promulgated by the fire prevention and building safety commission.

Sec. ~~8-181~~ 875-203. Board of electrical examiners.

A board of electrical examiners (hereinafter in this ~~chapter article~~ referred to as the "board"), shall consist of ~~six (6)~~ eight (8) members and shall be responsible for carrying out the provisions of this ~~division article~~ relative to licensure of electrical contractors. The administrator shall be a nonvoting member of the board, ex officio. The ~~five (5)~~ seven (7) voting members of the board shall be appointed by the mayor for ~~two (2)~~ four (4) year terms in such manner that two (2) terms expire on January 1st of one year and three (3) other terms expire on January 1st of the next year. ~~Four (4)~~ Five (5) of the ~~five (5)~~ seven (7) members appointed by the mayor shall be persons to whom a license has been issued in accordance with this ~~division article~~, and the remaining appointed members shall be a persons (not licensed under this ~~division article~~) representing the public at large. Each of the appointed members shall be a resident of the consolidated city. Members shall not receive compensation for serving on the board. Those members appointed by the mayor shall serve at his pleasure and shall hold no other elective or appointive office in the consolidated city.

Sec. ~~8-182~~ 875-204. Organization of board.

The board shall meet annually in each January on a date specified for regular monthly meetings in offices of the department of metropolitan development and elect a chairman and any other officers, who shall serve one year or until a successor is chosen, whichever is longer.

At its annual meeting each January, the board shall promulgate written policies and regulations concerning the administration of the written examination stated in section 875-209 and of the equivalent examination stated in section 875-211.

Said written polices and regulations shall be maintained and made available to the public through the offices of the division of development services.

Sec. ~~8-183~~ 875-205. Meetings of board.

The board shall hold regular meetings once each month in offices of the department of metropolitan development if there is one or more applications for license pending or other official business to come before the board. Special meetings may be called by the chairman or any two (2) members upon giving written notice fixing the time and place of the meeting at least two (2) days in advance of the special meeting. Three (3) appointed members of the board shall constitute a quorum for the transaction of all business.

Sec. ~~8-184~~ 875-206. Record of proceedings.

The board shall keep a summary record of its proceedings.

Sec. ~~8-185~~ 875-207. Register of applications.

The board shall maintain a register of all persons, partnerships and corporations which apply for licensure and persons who apply for renewal of licensure under this ~~division article~~.



- (1) If the applicant is a person the register shall show the date of application, the name of the applicant, the age, education, years of experience and other qualifications of the applicant, the address of the places of business and the residence of the applicant, whether the application is for an initial license or renewal of a license and whether the application was rejected or approved and the date of such action.
- (2) If the applicant is a partnership the register shall show the date of application, the name of the partnership, the addresses of its places of business, names of all partners and their respective residential addresses, and whether the application was rejected or approved and the date of such action.
- (3) If the applicant is a corporation the register shall show the date of application, the name of the corporation, state of incorporation, addresses of its places of business, names of all officers and their respective residential addresses, and whether the application was rejected or approved and the date of such action.

Sec. ~~8-186~~ 875-208. Qualifications for a person to be licensed as an electrical contractor.

A person shall be entitled to receive a license as an electrical contractor (either initially or by renewal of a license) if the following requirements are met:

- (1) The person:
  - a. Meets the written examination requirement stated in section 875-209, and the experience requirement stated in section 875-210; or
  - b. Meets the equivalent examination requirement stated in section 875-211 and the experience requirement stated in section 875-210; or
  - c. Meets the eligibility for renewal requirement stated in section 875-212; and
- (2) The person does not presently have a license issued under this ~~division~~ article suspended nor has he had such license revoked within a period of the preceding seven hundred thirty (730) days; and
- (3) The board has not, within the preceding three hundred sixty-five (365) days, determined in accordance with section 875-223 that the person is not eligible for license renewal; and
- (4) The person has submitted an acceptable bond and certificates of insurance as required by sections 875-216 and 875-217 unless this requirement is relieved because such person either meets the partnership or corporate agent status requirement stated in section 875-213 or such person meets the inspector status requirement stated in section 875-214; and
- (5) The person has paid the fee specified by section 8-87.

Unless these requirements are met a person shall not be entitled to an electrical contractor's license.

Sec. ~~8-187~~ 875-209. Written examination.

The written examination requirement of section 875-208a is met by a person who demonstrates his understanding of the following subject matter areas by attaining a passing score on a written examination administered by the board relative to electrical work for which such license is required:

- (1) General knowledge of the provisions of this chapter and other relevant ordinances of the consolidated city; and
- (2) General knowledge of the rules and regulations of the administrative building council, state and federal agencies applicable in the consolidated city; and
- (3) Expert knowledge about the proper, practical and safe methods of accomplishing electrical work; and

- (4) In the event a person fails to obtain a passing score on the written examination administered by the board, re-examination shall only be allowed pursuant to the written policies and regulations promulgated by the board under section 875-204.

Sec. ~~8-188~~ 875-210. Experience.

The experience requirement of sections 875-202 and 875-208a is met by a person who has had at least a total of six (6) years' experience, two (2) of which may be educational and four (4) of which must be practical work experience, all pertaining to electrical power distribution systems.

Sec. ~~8-189~~ 875-211. Equivalent examination.

The equivalent examination requirement of section 875-208a is met by a person who demonstrates, either orally or in writing, to the satisfaction of the board his familiarity with this chapter and presents evidence satisfactory to the board at one of its meetings that he currently practices the craft of an electrical contractor and that he is presently licensed in good standing as a result of his successfully completing an examination administered by a licensure board for another state or another municipality which was then the equivalent in scope of subject matter and difficulty as the examination presently administered by the board.

Sec. ~~8-190~~ 875-212. Eligibility for license renewal.

The eligibility for renewal requirement of section 875-208a is met by a person who:

- (1) Has held an unrevoked license under this ~~division~~ article within the preceding seven hundred thirty (730) days; or
- (2) Has held an unrevoked license under this ~~division~~ article within the preceding one thousand four hundred sixty (1,460) days and demonstrates to the satisfaction of the board that during at least two (2) years of that period the person has been actively engaged, in the Consolidated City of Indianapolis or elsewhere, in construction activity pertaining to electrical power distribution systems.

Sec. ~~8-191~~ 875-213. Partnership or corporate agent status.

The partnership or corporate agent status requirement of section 875-208(4) is met by a person who:

- (1) Is a partner or employee of a partnership or an officer or employee which is licensed under this ~~division~~ article; and
- (2) Does not make any use of his license as an electrical contractor other than as an agent of the partnership or corporation.

Whenever such person has occasion to enter into a transaction or take action for which license under this ~~division~~ article is required he shall clearly state the fact he is acting as agent for an identified partnership or corporate principal.

Sec. ~~8-192~~ 875-214. Inspector status.

The inspector status requirement of section 8-208(4) is met by a person who is employed full time by the division of development services in a position in which he makes or supervises the making of inspections to determine compliance with building standards and procedures relative to electricity, Article II provisions or this ~~division~~ article of this chapter. Such a person shall not use a license as an electrical contractor other than with respect to his employment by the Consolidated City of Indianapolis. Licensure under this section terminates by operation of law when the person is no longer employed by the division of development services and does not meet the requirements of sections 875-216 and 875-217.

Sec. ~~8-193~~ 875-215. Qualifications for a partnership or corporation to be licensed as an electrical contractor.

A partnership or corporation shall be entitled to receive a license as an electrical contractor if the following requirements are met:

- (1) At least one general partner (who is a person) or employee of a partnership or at least one officer or employee of a corporation holds a license under this ~~division~~ article; provided, however, that an unlicensed general partner or employee of a partnership or an unlicensed officer or employee of a



corporation shall be deemed to fulfill the requirement of this paragraph if such person is prevented from meeting the requirements of section 875-208 for licensure solely because the person cannot comply with the requirements of section 875-213 because the partnership or corporation of which he is a partner or officer or employee has submitted an application for licensure so that the licenses of the partner or employee and partnership or officer or employee and corporation can be approved and issued simultaneously, provided further that after December 31, 1986, a person may not be the sole licensed general partner or employee of a partnership or officer or employee of a corporation for more than one partnership or corporation; and

- (2) The partnership or corporation does not presently have a license issued under this ~~division~~ article suspended nor has it had such a license revoked within a period of the preceding seven hundred thirty (730) days; and
- (3) The board has not, within the preceding three hundred sixty-five (365) days, determined in accordance with section 875-223 that the partnership or corporation is not eligible to receive a successor license; and
- (4) The partnership does not presently have a partner or the corporation does not presently have an officer who has a license under this ~~division~~ article presently suspended or who has had such a license revoked within the preceding seven hundred thirty (730) days or a determination made of ineligibility for license renewal within the preceding three hundred sixty-five (365) days; and
- (5) The partnership does not presently have a partner or the corporation does not presently have an officer who, within the preceding three hundred sixty-five (365) days, served as a partner in a partnership or officer in a corporation licensed under this ~~division~~ article at the time when actions related to policies or practices of the partnership or corporation occurred which provided the primary basis on which the license of the partnership or corporation was revoked, suspended for more than one year, or a determination made of ineligibility for receipt of a successor license; and
- (6) The partnership or corporation has submitted an acceptable bond and certificates of insurance as required by sections 875-216 and 875-217; and
- (7) The partnership or corporation has paid the fee specified by section 8-87.

Unless these requirements are met a partnership or corporation shall not be entitled to an electrical contractor's license.

**Sec. ~~8-194~~ 875-216. Bond.**

(a) Before a license is issued by the division of development services to any person, partnership or corporation, the administrator shall require the applicant to file a surety bond in the amount of ten thousand dollars (\$10,000.00). The bond shall be maintained in full force and effect for a period of not less than one year. The bond shall set forth the name, phone number and address of the agent representing the bonding company and shall be:

- (1) Issued by a surety authorized to do business in Indiana;
- (2) Payable to the Consolidated City of Indianapolis or an unknown third party as obligee;
- (3) Conditioned upon:
  - a. Compliance with requirements set forth in this chapter which must be met to retain licensure; and
  - b. Prompt payment of all fees owed the consolidated city as set forth in this chapter; and
  - c. Prompt payment to the Consolidated City of Indianapolis for any loss or expense for damages to property of the Consolidated City of Indianapolis caused by any action of the contractor, his agents, employees, principals, subcontractors, materialmen or suppliers in violation of building standards and procedures while engaged in any electrical work or any related construction activity; and

August 8, 1994

- d. Prompt payment to a person, partnership or corporation which is an unknown third party obligee for any:
  1. Losses arising out of violations,
  2. Expenses necessary to correct violations, and
  3. Court costs and attorney fees allowed by the court incurred in connection with the commencement and prosecution of a court action to recover such losses and expenses for violations of building standards and procedures caused by any action of the contractor, his agents, employees, principals, subcontractors, materialmen or suppliers while engaged in electrical work or any related construction activity.

However, the surety is not responsible under the bond for losses or expenses arising out of negligent conduct or improper workmanship unless such conduct or workmanship violates requirements of building standards and procedures.

(b) The administrator may accept in lieu of the surety bond a properly conditioned irrevocable letter of credit in the amount of ten thousand dollars (\$10,000.00) if the city controller approves the obligor financial institution as being financially responsible and if the corporation counsel approves the letter of credit as affording the same protections to the City of Indianapolis and an unknown third party as the protections afforded by the surety bond.

(c) The obligation of the surety financial institution relative to this bond or letter of credit is limited to ten thousand dollars (\$10,000.00). A surety or financial institution may pay on the bond or disburse from the letter of credit to pay a claim in full at any time when that claim and pending claims (reflected by written notice to the surety or financial institution) together do not exceed the unpaid penalty of the bond or the undisbursed balance of the letter of credit. If written notice is received of claims which exceed the unpaid penalty of the bond or undisbursed balance of the letter of credit, the surety or financial institution shall prorate payment according to the amount of such claims.

Sec. ~~8-195~~ 875-217. Insurance.

Insurance requirements are met if the person, partnership or corporation secures insurance covering all electrical work and related construction activity accomplished by the licensee or under permits obtained by the licensee and thereafter maintains such insurance in full force and effect:

- (1) A public liability and property damage insurance policy assuring the licensee and naming the Consolidated City of Indianapolis as an "additional assured," and providing also for the payment of any liability imposed by law on such licensee or the Consolidated City of Indianapolis arising out of operations being performed by or on behalf of the licensee in the minimum amounts of five hundred thousand dollars (\$500,000.00) for combined bodily injury and property damage coverage or five hundred thousand dollars (\$500,000.00) for any occurrence relative to which there is injury or death to one or more persons and one hundred thousand dollars (\$100,000.00) for any occurrence relative to which there is damage to property. A certificate of such policy shall be delivered to the administrator of the division of development services.
- (2) Workman's compensation insurance covering the personnel employed for death or injury arising out of operations being performed by or on behalf of the licensee. A certificate of such insurance shall be delivered to the administrator of the division of development services. This provision shall not apply if the licensee has no employees and gives appropriate notice to the division of development services.

The insurance carrier shall give notice both to the licensee and the division of development services at least fifteen (15) days before such insurance is either canceled or not renewed, and the certificate shall state this obligation.

Sec. ~~8-196~~ 875-218. Type of license.

There shall only be one type of license approved by the board pursuant to this ~~division~~ article.



Sec. ~~8-197~~ 875-219. Board's approval for licensure.

Approval for licensure of a person, partnership or corporation as an electrical contractor shall be in writing signed by a majority of the board. The board may, however, by resolution agreed to by a majority of the board delegate to one of its officers or the administrator of the division of development services authority to approve applications for licensure or renewal of licensure on behalf of the board in instances where the applicant is a person whose eligibility for license renewal is established by section 875-212(1) or the applicant is a partnership or corporation.

Upon delivery of such approval an electrical contractor's license shall be issued by the controller for a period of one year. No license shall be issued by the controller to any person, partnership or corporation as an electrical contractor except as provided in this ~~division~~ article.

Sec. ~~8-198~~ 875-220. License personal, not transferable.

No license issued under the provisions of this ~~division~~ article shall be assigned or transferred.

Sec. ~~8-199~~ 875-221. Supervision by licensee.

All electrical work shall be accomplished under the direction and control of either:

- (1) The licensed person who applied for the building permit; or
- (2) If the building permit has been transferred, the licensed person who is the applicant representing the transferee of the building permit; or
- (3) If the applicant for the building permit no longer is able or desires to continue his responsibilities and obligations as the applicant and the obtainer of the building permit is a partnership which has a licensed person as a partner or a corporation which has a licensed person as an officer who meets the requirements imposed by section 8-31 to apply for such a building permit in the first instance, such licensed partner or officer upon his notifying (using a form furnished by the division of development services) the administrator of his assumption of the responsibilities and obligations of the applicant for the specified building permit.

The licensed person providing direction and control shall specify materials and work processes and supervise the person or persons accomplishing the electrical work.

Sec. ~~8-200~~ 875-222. Electrical work on one's own property.

A person, who both owns and possesses ~~a one or two family residential structure and the real estate upon which it is located an improved or unimproved parcel of land may personally may perform accomplish~~ electrical work for which a license ~~is would be otherwise~~ required by this ~~division~~ article, without having such a license; ~~relative to a one- or two-family residential structure on such parcel, if: provided that, if a building permit is required for such work, such person shall obtain~~

- (1) ~~The nonlicensed person obtains a building permit for the electrical work, if required; and~~
- (b) ~~In the instance of electrical work for which a building permit is required which poses a substantial potential health or safety hazard (as determined by the board or by the administrator on behalf of the board by making reference to standards issued by the board), the nonlicensed person has secured, after furnishing full plans and information, the board's written approval of the specified work; or~~
- (c2) the written approval from the board or its designee that ~~In the instance of electrical work for which a building permit is required which, if done improperly is not a substantial potential health or safety hazard (as determined by the board or by the administrator on behalf of the board by making reference to standards issued by the board), the nonlicensed person has secured, after furnishing full plans and information, approval in writing of the specified work from the administrator, division of development services or a representative which he designates.~~

~~The determination by the board or the administrator as to whether the nonlicensed person shall be allowed to accomplish the electrical work shall be made on the basis of whether the nonlicensed~~

August 8, 1994

~~person possesses~~ sufficient knowledge and technical skill to accomplish the work in accordance with building standards and procedures.

The board is to designate a person to perform the determinations under this section, who shall be an employee of the Department of Metropolitan Development qualified to perform inspections of electrical work. The board may appoint an alternate qualified employee for this designee.

A determination by the board's designee to disallow the nonlicensed person to accomplish the work may be appealed to the board for reconsideration.

Sec. ~~8-201~~ 875-223. License suspension, revocation or determination of ineligibility for renewal for a person.

The board may, under section 875-225, suspend the license of a person for a period of up to seven hundred thirty (730) days, revoke the license of a person or determine on the basis of activities carried out while licensed that a person who is or has been licensed within the previous three hundred sixty-five (365) days is ineligible for license renewal, if one of the following is shown:

- (1) The licensee made any materially false statement of fact either to the board or on his application for license or license renewal; or
- (2) The licensee acted fraudulently in the license examination; or
- (3) The licensee (but not including licensees who are exempt because of compliance with the requirements of section 875-213 or section 875-214) failed to post and maintain a surety bond and insurance required by section 875-216 or 875-217; or
- (4) The licensee acted fraudulently, or with deceit, in his business relationship with other persons, partnerships or corporations with which he dealt in connection with electrical work; or
- (5) Electrical work for which the licensee was responsible as applicant for the permit or applicant representing the transferee of the permit was performed either incompetently or in such manner that it does not meet standards of reasonable workmanship or compliance with building standards and procedures; or
- (6) The licensee failed to correct a violation of building standards and procedures relative to electrical work for which the licensee was responsible as applicant for the permit or applicant representing the transferee of the permit, after the administrator of the division of development services issued a notice of building code violation, revoked a building permit or issued a stop-work order and the violation(s) causing any of these actions remained uncorrected for a period of ten (10) days from the date of issuance of the notice of the building code violation, revocation of permit or stop-work order, or in the instance where a period of ten (10) days was not sufficient, such longer period of time as was fixed by the administrator in writing; or
- (7) The licensee has consistently failed to apply for or obtain required applicable permits for electrical work accomplished by the licensee or under his supervision; or
- (8) The licensee has consistently failed to timely file certificates of completion and compliance for electrical work relative to which he was the applicant for the permits or applicant representing the transferee of the permits; or
- (9) The licensee has consistently failed to give notice of availability for inspection at designated stages of electrical work as required by section 8-61; or
- (10) The licensee, excluding licensees who meet the inspector status requirement of section 875-214, has not for a period of five (5) continuous years accomplished or supervised the accomplishment of a significant amount of electrical work; or
- (11) The licensee qualified for licensure without meeting the bond and insurance requirements of sections 875-216 and 875-217 by meeting the inspector status requirements of section 875-214, but is no longer employed by the division of development services and does not meet the requirements of sections 875-216 and 875-217; or



- (12) The licensee qualified for licensure without meeting the bond and insurance requirements of sections 875-216 and 875-217 by meeting the partnership or corporate agent requirements of section 875-213 [but, without presently meeting the requirements of section 875-216] and 875-217, either he:
  - a. Is no longer a partner or employee of a partnership or an officer or employee of a corporation licensed under this ~~division~~ article; or
  - b. Has made use of his license other than as an agent of the partnership or corporation named in his application; or
- (13) The licensee has not properly paid the fee specified by section 8-87 for a license which has been issued or is delinquent in the payment of fees owed pursuant to this chapter; or
- (14) The licensee has failed to give proper supervision to electrical work in accordance with the requirements of section 875-221; or
- (15) The licensee has attempted to conceal or has concealed violations of building standards and procedures.

Sec. ~~8-202~~ 875-224. License suspension, revocation or determination of ineligibility for receipt of successor license for partnership or corporation.

The board may, under section 875-225, suspend the license of a partnership or corporation for a period of up to seven hundred thirty (730) days, revoke the license of a partnership or corporation, or determine on the basis of activities carried out while licensed within the previous three hundred sixty-five (365) days that the partnership or corporation is ineligible to receive a successor license, if one of the following is shown:

- (1) A materially false statement of fact was made to the board by an agent of the licensee or placed on the licensee's application for license; or
- (2) The licensee failed to post and maintain the surety bond and insurance required by sections 875-216 and 875-217; or
- (3) Agents of the licensee acted fraudulently or with deceit in its relationship with other persons, partnerships or corporations with which it dealt in connection with electrical work; or
- (4) Electrical work for which the licensee was responsible as obtainer of the permit or as transferee of the permit was performed either incompetently or in such manner that it does not meet standards of reasonable workmanship or compliance with building standards and procedures; or
- (5) The licensee failed to correct a violation of building standards and procedures relative to electrical work for which the licensee was responsible as obtainer of the permit or as transferee of the permit, after the administrator of the division of development services issued notice of a building code violation, [revoked a building permit or issued a stop-work order and the violation(s)] causing any of these actions remained uncorrected for a period of ten (10) days from the date of issuance of the notice of the building code violation, revocation of permit or stop-work order, or in the instance where a period of ten (10) days was not sufficient, such longer period of time as was fixed by the administrator in writing; or
- (6) The licensee has consistently failed to obtain required applicable permits for electrical work accomplished by the licensee; or
- (7) The licensee has consistently failed to give notice of availability for inspection at designated stages of electrical work as required by section 8-61; or
- (8) The licensee has consistently failed to timely file certificates of completion and compliance, as required, for electrical work accomplished pursuant to his license; or
- (9) The licensee has not properly paid the fee specified by section 8-87 for a license which has been issued or is delinquent in the payment of fees owed pursuant to this chapter; or

August 8, 1994

- (10) If a partnership, does not have a licensed person as a general partner or employee, or if a corporation, does not have a licensed person as an officer or employee; or
- (11) The partnership presently has a partner or the corporation presently has an officer who has a license under this ~~division~~ article presently suspended or who has had such a license revoked within the preceding seven hundred thirty (730) days or a determination made of ineligibility of license renewal within the preceding three hundred sixty-five (365) days; or
- (12) The partnership presently has a partner or the corporation presently has an officer who, within the previous three hundred sixty-five (365) days, served as a partner in a partnership or an officer in a corporation licensed under this ~~division~~ article at the time when actions related to policies or practices of the partnership or corporation occurred which provided the primary basis on which the license of the partnership or corporation was revoked, suspended for more than three hundred sixty-five (365) days, or a determination made of ineligibility for receipt of a successor license; or
- (13) The licensee has attempted to conceal or has concealed violations of building standards and procedures.

Sec. ~~8-203~~ 875-225. Hearing and appeal.

(a) The date and place for a revocation or suspension hearing shall be fixed by the board. At least ten (10) days before such date a written notice of the general nature of the charges, prepared by the division of development services, and of the time and place of the hearing thereon shall be served upon the licensee, either by hand delivery to the charged [licensed person or to a partner of a charged partnership or officer of a charged] corporation, or by certified mail with return receipt requested addressed to the licensee at his main place of business as shown by the licensee's application for license or license renewal. The ten (10) or more days shall run from the date such notice is mailed. In the instance where charges are made which have a similar factual basis and a business relationship exists (as, for example, charges against two (2) licensed partners or charges against a licensed corporation and its licensed corporate officer) the board may hear evidence relative to two (2) or more charges at the same hearing.

(b) The licensee may appear in person or by counsel, produce evidence (including testimonial and documentary evidence), make argument and cross-examine witnesses at such hearing. The division of development services shall have the same right. The board may cause or allow any other relevant evidence to be introduced. On the basis of evidence presented at the hearing, the board shall make findings [and enter an order in accordance with such findings,] which shall not become effective until ten (10) days after notice and a copy thereof has been served upon the licensee, in the manner required for notice of the hearing.

(c) On or before ten (10) days after service of said order, the licensee may appeal therefrom to the director of the department of metropolitan development, by serving a notice of appeal upon the director either in person or by filing it at his office, with a copy thereof delivered to the board at the office of the administrator of the division of development services, who shall deliver such copy to the board. Unless such appeal is so taken, the order of the board shall be final.

(d) If so appealed, the order of the board shall be stayed until the appeal is heard and determined by the director of the department of metropolitan development or a representative designated in writing (but not an employee of the division of development services) by the director, under the procedure prescribed by statute for hearings on the suspension or revocation of licenses. The director or his representative shall thereupon render such decisions as he finds justified and sustained by the evidence, either affirming, reversing or modifying the terms of the order of the board. The order of the director or his representative shall be final and conclusive and be binding upon both the licensee and the board.

### ARTICLE III. LICENSING AND REGULATION OF HEATING AND COOLING CONTRACTORS

Sec. ~~8-240~~ 875-301. License required.

Licensure as a heating and cooling contractor of the appropriate type is required to install, modernize, replace, service or repair all or any part of a heating system, space heating equipment, a cooling system, space cooling equipment or refrigeration equipment.

Construction activity which this ~~division~~ article allows licensed heating and cooling contractors to carry out is hereafter referred to in this ~~division~~ article as "heating and cooling work."



A person not licensed under this ~~division article~~ who is employed by a licensed heating and cooling contractor may, however, accomplish heating and cooling work while working under the direction and control of a person who is a licensed heating and cooling contractor, but shall not otherwise enter into or offer to enter into a contractual relationship to engage in the heating and cooling work. The scope of activity of such nonlicensed person shall not extend beyond that allowed by the license type of the licensed heating and cooling contractor providing direction and control over the nonlicensed person.

A person not licensed under this ~~division article~~ may, however, accomplish heating and cooling work in carrying out ordinary maintenance and repair if such work is accomplished by the person in the regular course of his sole, full-time employment by the owner of the premises where such ordinary maintenance and repair occurs. Persons, partnerships or corporations engaged in the business of service and repair, however, must be licensed under this chapter.

Sec. ~~8-211~~ 875-302. Board of heating and cooling examiners.

A board of heating and cooling examiners (hereinafter in this ~~division article~~ referred to as the "board") shall consist of eight (8) members and shall be responsible for carrying out the provisions relative to licensure of heating and cooling contractors. The administrator shall be a nonvoting member of the board, ex officio. The seven (7) voting members of the board shall be appointed by the mayor for two (2) year terms in such manner that three (3) terms expire on January 1st of one year and four (4) other terms expire on January 1st of the next year. ~~Six (6)~~ Five (5) of the seven (7) members appointed by the mayor shall be persons to whom a license has been issued in accordance with this ~~division article~~ and the remaining appointed members shall be a persons (not licensed under this ~~division article~~) representing the public at large. At least two (2) of the licensed appointed members shall hold a refrigeration license. Each of appointed members shall be a resident of the consolidated city. Members shall not receive compensation for serving on the board. Those members appointed by the mayor shall serve at his pleasure and shall hold no other elective or appointive office in the consolidated city.

Sec. ~~8-212~~ 875-303. Organization of board.

The board shall meet annually in each January on a date specified for regular monthly meetings in offices of the department of metropolitan development and elect a chairman and any other officers, who shall serve one year or until a successor is chosen, whichever is longer. At its annual meeting each January, the board shall promulgate written policies and regulations concerning the administration of the written examination stated in section 875-308 and of the equivalent examination stated in section 875-310.

Said written policies and regulations shall be maintained and made available to the public through the offices of the division of development services.

Sec. ~~8-213~~ 875-304. Meetings of board.

The board shall hold regular meetings once each month in offices of the department of metropolitan development if there are one or more applications for license pending or other official business to come before the board. Special meetings may be called by the chairman or any three (3) members upon giving written notice fixing the time and place of the meeting at least two (2) days in advance of the special meeting. Four (4) appointed members of the board shall constitute a quorum for the transaction of all business.

Sec. ~~8-214~~ 875-305. Record of proceedings.

The board shall keep a summary record of its proceedings.

Sec. ~~8-215~~ 875-306. Register of applications.

The board shall maintain a register of all persons, partnerships and corporations which apply for licensure and persons who apply for renewal of licensure under this ~~division article~~.

- (1) If the applicant is a person, the register shall show the date of application, the name of the applicant, the age, education, years of experience and other qualifications of the applicant, the addresses of the places of business and the residence of the applicant, the type of license for which application is made, whether the application is for an initial license or renewal of a license and whether the application was rejected or approved and the date of such action.

August 8, 1994

- (2) If the applicant is a partnership, the register shall show the date of application, the name of the partnership, the addresses of its places of business, names of all partners and their respective residential addresses, the type of license for which application is made, and whether the application was rejected or approved and the date of such action.
- (3) If the applicant is a corporation, the register shall show the date of application, the name of the corporation, state of incorporation, addresses of its places of business, names of all officers and their respective residential addresses, the type of license for which application is made and whether the application was rejected or approved and the date of such action.

Sec. ~~8-216~~ 875-307. Qualifications for a person to be licensed as a heating and cooling contractor.

A person shall be entitled to receive one license of the appropriate type as a heating and cooling contractor (either initially or by renewal of a license) if the following requirements are met:

- (1) The person:
  - a. Meets the written examination requirement stated in section 875-308, and the experience requirement stated in section 875-309; or
  - b. Meets the equivalent examination requirement stated in section 875-310 and the experience requirement stated in section 875-309; or
  - c. Meets the eligibility for renewal requirement stated in section 875-311; and
- (2) The person does not presently have a license issued under this ~~division~~ article suspended nor has he had such license revoked within a period of the preceding seven hundred thirty (730) days; and
- (3) The board has not, within the preceding three hundred sixty-five (365) days, determined in accordance with section 875-322 that the person is not eligible for license renewal; and
- (4) The person has submitted an acceptable bond and certificates of insurance as required by section 875-315 and 875-316 unless this requirement is relieved because either such person meets the partnership or corporate agent status requirement stated in section 875-312, or such person meets the inspector status requirement stated in section 875-313; and
- (5) The person has paid the fee specified by section 8-87.

Unless these requirements are met a person shall not be entitled to a heating and cooling contractor's license of the appropriate type.

Sec. ~~8-217~~ 875-308. Written examination.

The written examination requirement of section 875-307(1) is met by a person who demonstrates his understanding of the following subject matter areas by attaining a passing score on a written examination administered by the board relative to heating and cooling work for which such license of the applicable type is required:

- (1) General knowledge of the provisions of this chapter and other relevant ordinances of the consolidated city; and
- (2) General knowledge of the rules and regulations of the administrative building council, state and federal agencies applicable in the consolidated city; and
- (3) Expert knowledge about the proper, practical and safe methods of accomplishing heating and cooling work; and
- (4) In the event a person fails to obtain a passing score on the written examination administered by the board, re-examination shall only be allowed pursuant to the written policies and regulations promulgated by the board under section 875-303.



Sec. ~~8-218~~ 875-309. Experience.

The experience requirement of section 875-307(1) is met by a person who has had at least five (5) years of practical work experience pertaining to heating and cooling work or a combination of experience and school which totals five (5) years.

Sec. ~~8-219~~ 875-310. Equivalent examination.

The equivalent examination requirement of section 875-307(1) is met by a person who demonstrates, either orally or in writing, to the satisfaction of the board his familiarity with this chapter and presents evidence satisfactory to the board at one of its meetings that he currently practices the craft of a heating and cooling contractor and that he is presently licensed in good standing as a result of his successfully completing an examination administered by a licensure board for another state or another municipality which was then the equivalent in scope of subject matter and difficulty as the examination presently administered by the board for the applicable license type.

Sec. ~~8-220~~ 875-311. Eligibility for license renewal.

The eligibility for renewal requirement of section 875-307(1) is met by a person who:

- (1) Has held an unrevoked license of the same type under this ~~division~~ article within the preceding seven hundred thirty (730) days;
- (2) Has held an unrevoked license of the same type under this ~~division~~ article within the preceding one thousand four hundred sixty (1,460) days (four (4) years) and demonstrates to the satisfaction of the board that during at least two (2) years of that period the person has been actively engaged, in the Consolidated City of Indianapolis or elsewhere, in heating and cooling work.

Sec. ~~8-221~~ 875-312. Partnership or corporate agent status.

The partnership or corporate agent status requirement of section 875-307(4) is met by a person who:

- (1) Is a partner or employee of a partnership or an officer or employee of a corporation which is licensed under this ~~division~~ article; and
- (2) Does not make any use of his license as a heating and cooling contractor other than as an agent of the partnership or corporation.

Whenever such person has occasion to enter into a transaction or take action for which licensure under this ~~division~~ article is required he shall clearly state the fact he is acting as agent for an identified partnership or corporate principal.

Sec. ~~8-222~~ 875-313. Inspector status.

The inspector status requirement of section 875-307(4) is met by a person who is employed full time by the division of development services in a position in which he makes or supervises the making of inspections to determine compliance with building standards and procedures relating to heating and cooling work, Article II provisions or this ~~division~~ article of this chapter. Such a person shall not use a license as a heating and cooling contractor other than with respect to his employment by the Consolidated City of Indianapolis. Licensure under this section terminates by operation of law when the person is no longer employed by the division of development services and does not meet the requirements of sections 875-315 and 875-316.

Sec. ~~8-223~~ 875-314. Qualifications for a partnership or corporation to be licensed as heating and cooling contractor.

A partnership or corporation shall be entitled to receive one license of the appropriate type as a heating and cooling contractor if the following requirements are met:

- (1) At least one general partner (who is a person) or employee of a partnership or at least one officer or employee of a corporation holds a license of the same type under this ~~division~~ article as that relative to which the partnership or corporation has made application; provided, however, that an unlicensed general partner or employee of a partnership or an unlicensed officer or employee of a corporation

shall be deemed to fulfill the requirement of this paragraph if such person is prevented from meeting the requirements of section 875-307 for licensure of the applicable type solely because the person cannot comply with the requirements of section 875-312 because the partnership or corporation of which he is a partner or employee or officer or employee is not licensed under this ~~division article~~ and such partner or employee or officer or employee has submitted an application for licensure so that the licenses of the partner or employee and partnership or officer or employee and corporation can be approved and issued simultaneously; and

- (2) The partnership or corporation does not presently have a license issued under this ~~division article~~ suspended nor has it had such a license revoked within a period of the preceding seven hundred thirty (730) days; and
- (3) The board has not, within the preceding three hundred sixty-five (365) days, determined in accordance with section 875-323 that the partnership or corporation is not eligible to receive a successor license; and
- (4) The partnership does not presently have a partner or the corporation does not presently have an officer who has a license under this ~~division article~~ presently suspended or who has had such a license revoked within the preceding seven hundred thirty (730) days, or a determination made of ineligibility for license renewal within the preceding three hundred sixty-five (365) days; and
- (5) The partnership does not presently have a partner or the corporation does not presently have an officer who, within the preceding three hundred sixty-five (365) days, served as a partner in a partnership or officer in a corporation, licensed under this ~~division article~~ at the time when actions related to policies or practices of the partnership or corporation occurred which provided the primary basis on which the license of the partnership or corporation was revoked, suspended more than one year or a determination made of ineligibility for receipt of a successor license; and
- (6) The partnership or corporation has submitted an acceptable bond and certificates of insurance as required by sections 875-315 and 875-316; and
- (7) The partnership or corporation has paid the fee specified by section 8-87.

Unless these requirements are met, a partnership or corporation shall not be entitled to a heating and cooling contractor's license of the appropriate type.

Sec. ~~8-224~~ 875-315. Bond.

(a) Before a license is issued by the division of development services to any person, partnership or corporation, the administrator shall require the applicant to file a surety in the amount of five thousand dollars (\$5,000.00). The bond shall be maintained in full force and effect for a period of not less than one year. The bond shall set forth the name, phone number and address of the agent representing the bonding company and shall be:

- (1) Issued by a surety authorized to do business in Indiana;
- (2) Payable to the Consolidated City of Indianapolis or an unknown third party as obligee;
- (3) Conditioned upon:
  - a. Compliance with requirements set forth in this chapter which must be met to retain licensure; and
  - b. Prompt payment of all fees owed the consolidated city as set forth in this chapter; and
  - c. Prompt payment to the Consolidated City of Indianapolis for any loss or expense for damages to property of the Consolidated City of Indianapolis caused by any action, of the contractor, his agent, employees, principals, subcontractors, materialmen or suppliers in violation of building standards and procedures while engaged in any heating and cooling work or any related construction activity; and
  - d. Prompt payment to a person, partnership or corporation which is an unknown third party obligee for any:



1. Losses arising out of violations,
2. Expenses necessary to correct violations, and
3. Court costs and attorney fees allowed by the court incurred in connection with the commencement and prosecution of a court action to recover such losses and expenses for violations of building standards and procedures caused by any action of the contractor, his agents, employees, principals, subcontractors, materialmen or suppliers while engaged in heating and cooling work or any related construction activity.

However, the surety is not responsible under the bond for losses or expenses arising out of negligent conduct or improper workmanship unless such conduct or workmanship violates requirements of building standards and procedures.

(b) The administrator may accept in lieu of the surety bond a properly conditioned irrevocable letter of credit in the amount of five thousand dollars (\$5,000.00) if the city controller approves the obligor financial institution as being financially responsible and if the corporation counsel approves the letter of credit as affording the same protections to the City of Indianapolis and an unknown third party as the protections afforded by the surety bond.

(c) The obligation of the surety and financial institution relative to this bond or letter of credit is limited to five thousand dollars (\$5,000.00). A surety or financial institution may pay on the bond or disburse from the letter of credit to pay a claim in full at any time when that claim and pending claims (reflected by written notice to the surety or financial institution) together do not exceed the unpaid penalty of the bond or the undisbursed balance of the letter of credit. If written notice is received of claims which exceed the unpaid penalty of the bond or undisbursed balance of the letter of credit, the surety or financial institution shall pro-rate payment according to the amount of such claims.

Sec. ~~8-225~~ 875-316. Insurance.

The insurance requirements are met if the person, partnership or corporation secures insurance covering all heating and cooling work and any related construction activity accomplished by the licensee or under permits obtained by the licensee and thereafter maintains such insurance in full force and effect:

- (1) A public liability and property damage insurance policy assuring the licensee and naming the Consolidated City of Indianapolis as an "additional assured," and providing also for the payment of any liability imposed by law on such licensee or the Consolidated City of Indianapolis arising out of operations being performed by or on behalf of the licensee in the minimum amounts of five hundred thousand dollars (\$500,000.00) for combined bodily injury and property damage coverage or five hundred thousand dollars (\$500,000.00) for any occurrence relative to which there is injury or death to one or more persons and one hundred thousand dollars (\$100,000.00) for any occurrence relative to which there is damage to property. A certificate of such policy shall be delivered to the administrator of the division of development services.
- (2) Workman's compensation insurance covering the personnel employed for death or injury arising out of operations being performed by or on behalf of the licensee. A certificate of such insurance shall be delivered to the administrator of the division of development services. This provision shall not apply if the licensee has no employees and gives appropriate notice to the division of development services.

The insurance carrier shall give notice both to the licensee and the division of development services at least fifteen (15) days before such insurance is either canceled or not renewed, and the certificate shall state this obligation.

Sec. ~~8-226~~ 875-317. Types of licenses.

There shall be ~~ten (10)~~ twelve (12) types of licenses approved by the board pursuant to this ~~division article~~. However, after January 1, 1996, there shall only be seven (7) types of licenses. Heating and cooling work may be accomplished under these license types as follows:

- (1) The "~~heavy-commercial~~ Air Conditioning "A" (unrestricted)" license authorizes the holder thereof to perform all of the kinds of heating and cooling work without limitation.

- (2) The "light commercial/residential" license authorizes the holder thereof to perform work of the following kinds:
  - a. Installation, modernization, replacement, service or repair of cooling systems or space cooling equipment, which system or equipment has a rated output not in excess of six hundred thousand (600,000) Btuh and does not include preassembled air-conditioning units which exceed a rating of fifty (50) tons under ARI standards; and
  - b. Installation, modernization, replacement, service or repair of heating systems or space heating equipment, which system or equipment has a rated input not in excess of four million (4,000,000) Btuh and which does not utilize a water boiler in which the rated pressure exceeds thirty (30) pounds per square inch.
- (3) The "residential" license authorizes the holder thereof to perform work of the following kinds in one- or two-family residential structures, commercial buildings of not more than one story and apartment buildings:
  - a. Installation, modernization, replacement, service or repair of cooling systems or space cooling equipment, which system or equipment is a single phase and has a rated output not in excess of sixty thousand (60,000) Btuh; and
  - b. Installation, modernization, replacement, service or repair of heating system or space heating equipment, which system or equipment has a rated input of less than two million (2,000,000) Btuh and which does not utilize a boiler in which the rated pressure exceeds fifteen (15) pounds per square inch or steam boiler in which the rated pressure exceeds thirty (30) pounds per square inch.
- (4) The "Air Conditioning "B"" license authorizes the holder thereof to install, maintain, repair, fabricate, alter, or extend central air conditioning, heating and ventilating, including ductwork, within a complete system limited to twenty-five tons cooling and five hundred thousand BTU heating, and all appurtenances, apparatus, piping vessels, ducts and insulation used in connection therewith.
- (5) The "Air Conditioning "D"" license authorizes the holder thereof to install, maintain, repair, alter, or extend systems of air conditioning and heating including ventilation and any and all duct systems necessary. Systems shall be limited to single phase, five (5) ton cooling capacity, limited to 300,000 BTU/hr input heating capacity and limited to boiler pressures of 15 psig steam and 30 psig water.
- (d6) The "high pressure steam" license authorizes the holder thereof to perform installation, modernization, replacement, service or repair of heating systems or space heating equipment, which system or equipment utilizes a boiler.
- (e7) The "refrigeration" license authorizes the holder thereof to perform installation, modernization, replacement, service or repair of refrigeration equipment.
- (f8) The "heavy commercial (unrestricted) service only" license authorizes the holder thereof to perform work limited to service and repair relative to the kinds of construction activity which the holder of a "heavy commercial (unrestricted)" license may perform.
- (g9) The "light commercial/residential service only" license authorizes the holder thereof to perform work limited to service and repair relative to the kinds of construction activity which the holder of a "light commercial/residential" license may perform.
- (h10) The "residential service only" license authorizes the holder thereof to perform work limited to service and repair relative to the kinds of construction activity which the holder of a "residential" license may perform.
- (i11) The "steam service only" license authorizes the holder thereof to perform work limited to service and repair relative to the kinds of construction activity which the holder of a "steam" license may perform.
- (j12) The "refrigeration service only" license authorizes the holder thereof to perform work limited to service and repair relative to the kinds of construction activity which the holder of a "refrigeration" license may perform.



Holders of a license listed in (2) or (3) may renew such a license if the holder qualifies for renewal under section 875-311, however, no initial licenses listed under (2) or (3) shall be issued after January 1, 1995.

No initial licenses of the types listed in (8), (9), (10), (11) and (12) shall be issued after January 1, 1995. Holders of a license listed in (8), (9), (10), (11) or (12) may renew such a license if the holder qualifies for renewal under section 875-311, however, such license shall not be renewed for a period of time extending past January 1, 1996.

Sec. ~~8-227~~ 875-318. Board's approval for licensure.

Approval for licensure of a person, partnership or corporation as a heating and cooling contractor of the appropriate type shall be in writing signed by a majority of the board. The board may, however, by resolution agreed to by a majority of the board delegate to one of its officers or the administrator of the division of development services authority to approve applications for licensure or renewal of licensure on behalf of the board in instances where the applicant is a person whose eligibility for license renewal is established by section 875-311(1) or the applicant is a partnership or corporation.

Upon delivery of such approval a heating and cooling contractor's license of the appropriate type shall be issued by the controller for a period of one year. No license shall be issued by the controller to any person, partnership or corporation as a heating and cooling contractor except as provided in this ~~division~~ article.

Sec. ~~8-228~~ 875-319. License personal, not transferable.

No license issued under the provisions of this ~~division~~ article shall be assigned or transferred.

Sec. ~~8-229~~ 875-320. Supervision by licensee.

All heating and cooling work shall be accomplished under the direction and control of either:

- (1) The licensed person who applied for the building permit; or
- (2) If the building permit has been transferred, the licensed person who is the applicant representing the transferee of the building permit; or
- (3) If the applicant for the building permit no longer is able or desires to continue his responsibilities and obligations as the applicant and the obtainer of the building permit is a partnership which has a licensed person as a partner or a corporation which has a licensed person as an officer who meets the requirements imposed by section 8-31 to apply for such a building permit in the first instance, such licensed partner or officer upon his notifying (using a form furnished by the office of the division of development services) the administrator of his assumption of the responsibilities and obligations of the applicant for the specified building permit.

The licensed person providing direction and control shall specify work processes and supervise the person or persons accomplishing the heating and cooling work. Such licensed person or a competent person responsible to him must be present at the site when any significant heating and cooling work occurs.

Sec. ~~8-230~~ 875-321. Heating and cooling work on one's own property.

A person, who both owns and possesses a one or two family residential structure and the real estate upon which it is located an improved or unimproved parcel of land may personally may perform accomplish heating and cooling work for which a license is would be otherwise required by this division article, without having such a license, relative to a one or two family residential structure on such parcel, if: provided that, if a building permit is required for such work, such person shall obtain:

- (1) ~~The nonlicensed person obtains a building permit for the heating and cooling work, if required; and~~
- (b) ~~In the instance of heating and cooling work for which a building permit is required which poses a substantial potential health or safety hazard (as determined by the board or by the administrator on behalf of the board by making reference to standards issued by the board), the nonlicensed person has secured, after furnishing full plans and information, the board's written approval of the specified work;~~  
or

August 8, 1994

- (e2) ~~the written approval from the board or its designee that in the instance of heating and cooling work for which a building permit is required which, if done improperly is not a substantial potential health or safety hazard (as determined by the board or by the administrator on behalf of the board by making reference to standards issued by the board), the nonlicensed person has secured, after furnishing full plans and information, approval in writing of the specified work from the administrator, division of development services or a representative which he designates.~~

~~The determination by the board or the administrator as to whether the nonlicensed person shall be allowed to accomplish heating and cooling work shall be made on the basis of whether the nonlicensed person possesses sufficient knowledge and technical skill to accomplish the work in accordance with building standards and procedures.~~

The board is to designate a person to perform the determinations under this section, who shall be an employee of the Department of Metropolitan Development qualified to perform inspections of heating and cooling work. The board may appoint an alternate qualified employee for this designee.

A determination by the board's designee to disallow the nonlicensed person to accomplish the work under this section may be appealed to the board for reconsideration.

Sec. ~~8-231~~ 875-322. License suspension, revocation or determination of ineligibility for renewal for a person.

The board may, under section 875-324, suspend the license of a person for a period of up to seven hundred thirty (730) days, revoke the license of a person, or determine on the basis of activities carried out while licensed that a person who is or has been licensed within the previous three hundred sixty-five (365) days is ineligible for license renewal, if one of the following is shown:

- (1) The licensee made any materially false statement of fact either to the board or on his application for license or license renewal; or
- (2) The licensee acted fraudulently in the license examination; or
- (3) The licensee (but not including licensees who are exempt because of compliance with the requirements of section 875-312 or section 875-313) failed to post and maintain the surety bond and insurance required by sections 875-315 and 875-316; or
- (4) The licensee acted fraudulently, or with deceit, in his relationship with other persons, partnerships or corporations with which he dealt in connection with heating and cooling work; or
- (5) Heating and cooling work for which the licensee was responsible as applicant for the permit or applicant representing the transferee of the permit was performed either incompetently or in such manner that it does not meet standards of reasonable workmanship or compliance with building standards and procedures; or
- (6) The licensee failed to correct a violation of building standards and procedures relative to heating and cooling work for which the licensee was responsible as applicant for the permit or applicant representing the transferee of the permit, after the administrator of the division of development services issued notice of a building code violation, revoked a building permit or issued a stop-work order and the violation(s) causing any of these actions remained uncorrected for a period of ten (10) days from the date of issuance of the notice of the building code violation, revocation of permit or stop-work order, or in the instance where the period of ten (10) days was not sufficient, such longer period of time as was fixed by the administrator in writing; or
- (7) The licensee has consistently failed to apply for or obtain required applicable permits for heating and cooling work accomplished by the licensee or under his supervision; or
- (8) The licensee has consistently failed to give notice of availability for inspection at designated stages of heating and cooling work as required by section 8-61; or
- (9) The licensee has consistently failed to timely file certificates of completion and compliance for heating and cooling work relative to which he was the applicant for the permits; or



- (10) The licensee, excluding licensees who meet the inspector status requirement of section 875-313, has not for a period of five (5) continuous years accomplished or supervised the accomplishment of a significant amount of heating and cooling work; or
- (11) The licensee qualified for licensure without meeting the bond and insurance requirements of sections 875-315 and 875-316 by meeting the inspector status requirements of section 875-222, but is no longer employed by the division of development services and does not meet the requirements of sections 875-315 and 875-316; or
- (12) The licensee qualified for licensure without meeting the bond and insurance requirements of sections 875-315 and 875-316 by meeting the partnership or corporate agent requirements of section 875-312, but without presently meeting the requirements of sections 875-315 and 875-316, either he:
  - a. Is no longer a partner or employee of a partnership or an officer or employee of a corporation licensed under this ~~division~~ article; or
  - b. Has made use of his license other than as an agent of the partnership or corporation named in his application; or
- (13) The licensee has not properly paid the fee specified by section 8-87 for a license which has been issued or is delinquent in other fees owed pursuant to this chapter; or
- (14) The licensee has failed to give proper supervision to heating and cooling work in accordance with requirements of section 875-320; or
- (15) The licensee holding a heating and cooling license other than a "heavy commercial (unrestricted)" license has accomplished (without supervision by a licensee of the appropriate type) or supervised the accomplishment of heating and cooling work without having the type license which is required for such construction activity; or
- (16) The licensee has attempted to conceal or has concealed violations of building standards and procedures.

Sec. ~~8-232~~ 875-323. License suspension, revocation or determination of ineligibility for receipt of a successor license for a partnership or corporation.

The board may, under section 875-324, suspend the license of a partnership or corporation for a period of up to seven hundred thirty (730) days, revoke the license of a partnership or corporation, or determine on the basis of activities carried out while licensed within the previous three hundred sixty-five (365) days that the partnership or corporation is ineligible to receive a successor license, if one of the following is shown:

- (1) A materially false statement of fact was made to the board by an agent of the licensee or placed on the licensee's application for license; or
- (2) The licensee failed to post and maintain the surety bond and insurance required by sections 875-315 and 875-316; or
- (3) An agent of the licensee acted fraudulently or with deceit in its relationship with other persons, partnerships or corporations with which it dealt in connection with heating and cooling work; or
- (4) Heating and cooling work for which the licensee was responsible as obtainer of the permit or as transferee of the permit was performed either incompetently or in such manner that it does not meet standards of reasonable workmanship or compliance with building standards and procedures; or
- (5) The licensee failed to correct a violation of building standards and procedures relative to heating and cooling work for which the licensee was responsible as obtainer of the permit or as transferee of the permit, after the administrator of the division of development services issued notice of a building code violation, revoked a building permit or issued a stop-work order and the violation(s) causing any of these actions remained uncorrected for a period of ten (10) days from the date of issuance of notice of the building code violation, revocation of permit, or stop-work order, or in the instance where a period of ten (10) days was not sufficient such longer period of time as was fixed by the administrator in writing; or

- (6) The licensee has consistently failed to obtain required applicable permits for heating and cooling work; or
- (7) The licensee has consistently failed to give notice of availability for inspection at designated stages of heating and cooling work as required by section 8-61; or
- (8) The licensee has consistently failed to timely file certificates of completion and compliance, as required, for heating and cooling work accomplished pursuant to his license; or
- (9) The licensee has not properly paid the fee specified by section 8-87 for a license which has been issued or is delinquent in the payment of fees owed pursuant to this chapter; or
- (10) If a partnership, does not have a licensed person as a general partner or employee, or if a corporation, does not have a licensed person as an officer or employee; or
- (11) The partnership presently has a partner or the corporation presently has an officer who has a license under this ~~division~~ article presently suspended or who has had such a license revoked within the preceding seven hundred thirty (730) days or a determination made of ineligibility for license renewal within the preceding three hundred sixty-five (365) days; or
- (12) The partnership presently has a partner or the corporation presently has an officer who, within the previous three hundred sixty-five (365) days, served as a partner in a partnership or an officer in a corporation licensed under this ~~division~~ article at a time when actions related to policies or practices of the partnership or corporation occurred which provided the primary basis on which the license of the partnership or corporation was revoked, suspended for more than three hundred sixty-five (365) days, or a determination made of ineligibility for receipt of a successor license; or
- (13) Heating and cooling work for which the licensee, holding a heating and cooling license other than a "heavy commercial (unrestricted)" license, was responsible as obtainer of the permit or as transferee of the permit was performed without the licensee having the type of license which is required for such work; or
- (14) The licensee has attempted to conceal or has concealed violations of building standards and procedures.

Sec. ~~8-233~~ 875-324. Hearing and appeal.

(a) The date and place for a revocation or suspension hearing shall be fixed by the board. At least ten (10) days before such date a written notice of the general nature of the charges, prepared by the division of development services, and of the time and place of the hearing thereon shall be served upon the licensee, either by hand delivery to the charged licensed person or to a partner of a charged partnership or officer of a charged corporation or by certified mail with return receipt requested, addressed to the licensee at his main place of business as shown by the licensee's application for license or license renewal. The ten (10) or more days shall run from the date such notice is mailed. In the instance where charges are made which have a similar factual basis and a business relationship exists (as, for example, charges against two (2) licensed partners or charges against a licensed corporation and a licensed corporate officer), the board may hear evidence relative to two (2) or more charges at the same hearing.

(b) The licensee may appear in person or by counsel, produce evidence (including testimonial and documentary evidence), make argument and cross-examine witnesses at such hearing. The division of development services shall have the same right. The board may cause or allow any other relevant evidence to be introduced. On the basis of the evidence presented at the hearing, the board shall make findings and enter an order in accordance with such findings, which shall not become effective until ten (10) days after notice and a copy thereof has been served upon the licensee in the manner required for notice of the hearing.

(c) On or before ten (10) days after service of said order, the licensee may appeal therefrom to the director of the department of metropolitan development, by serving a notice of appeal upon the director either in person or by filing it at his office, with a copy thereof delivered to the board at the office of the administrator of the division of development services, who shall deliver such copy to the board. Unless such appeal is so taken, the order of the board shall be final.

(d) If so appealed, the order of the board shall be stayed until the appeal is heard and determined by the director of the department of metropolitan development or a representative designated in writing (but not an



employee of the division of development services) by the director, under the procedure prescribed by statute for hearings on the suspension or revocation of licenses. The director or his representative shall thereupon render such decision as he finds justified and sustained by the evidence, either affirming, reversing or modifying the terms of the order of the board. The order of the director or his representative shall be final and conclusive and be binding upon the licensee and the board.

#### ARTICLE IV. LICENSING AND REGULATION OF WRECKING CONTRACTORS

Sec. ~~8-240~~ 875-401. License required.

Licensure as a wrecking contractor of the appropriate type is required to either engage or offer to engage in the business, trade or calling of demolishing, dismantling, dismembering, razing or removing structures; provided, however, that licensure as a wrecking contractor is not required:

- (1) To wreck a one-story detached accessory structure containing less than five hundred seventy-seven (577) square feet of floor area which is located on the same premises as a one- or two-family residential structure or to wreck a structure containing less than five hundred (500) square feet of floor area; or
- (2) To wreck a one-story, one- or two-family residential structure if:
  - a. The wrecking is accomplished by the person who owns the structure; and
  - b. The person is a previous occupant of the structure; and
  - c. No part of the structure is located nearer than ten (10) feet to another structure not owned by the person accomplishing the wrecking or any street, alley or sidewalk; and
  - d. The wrecking will not create a substantial potential health or safety hazard; and
  - e. If deemed reasonably necessary by the administrator of the ~~division of neighborhood and development services~~ division, the person who will accomplish the wrecking demonstrates that the wrecking activity is covered by a public liability and property damage insurance policy, in amounts established by the administrator (but not less than fifty thousand dollars (\$50,000.00) for personal injury or death and twenty-five thousand dollars (\$25,000.00) for property damage), naming the person doing the wrecking and the Consolidated City of Indianapolis as the ~~assured~~ insured; or
- (3) To wreck a one-story, wood-frame structure that is not a residential structure if:
  - a. The wrecking is accomplished by the person who owns the structure or by permanent, full-time employees of the partnership or corporation which owns the structure; and
  - b. The person, partnership or corporation which owns the premises where the structure is located is in possession of the premises where the structure is located; and
  - c. No part of the structure is located nearer than ten (10) feet to another structure not owned by the person, partnership or corporation accomplishing the wrecking or any street, alley or sidewalk; and
  - d. The wrecking will not create a substantial potential health or safety hazard; and
  - e. If deemed reasonably necessary by the administrator of the ~~division of neighborhood and development services~~ division, the person, partnership or corporation who will accomplish the wrecking demonstrates that the wrecking activity is covered by a public liability and property damage insurance policy in amounts established by the administrator (but not less than fifty thousand dollars (\$50,000.00) for personal injury or death and twenty-five thousand dollars (\$25,000.00) for property damage), naming the person doing the wrecking and the Consolidated City of Indianapolis as the ~~assured~~ insured; or
- (4) To wreck or dismantle a structure or part of a structure if:

August 8, 1994

- a. The ~~board~~ administrator of the neighborhood and development services division determines that the structure to be demolished or dismantled is a water storage tank, gas storage tank, or other structure which has some unique characteristic requiring specialized expertise beyond that of the typical licensed demolition contractor, or that the demolition or dismantling work involves some unique circumstance requiring such specialized expertise, and
- b. The person responsible for supervising the demolition or dismantling work demonstrates ~~to the satisfaction of the board~~ his or her familiarity with this chapter and his or her expertise and experience in demolishing or dismantling the type of structure or part of the structure to be demolished or dismantled, and
- c. The ~~person, partnership or corporation~~ applicant submits proof of bond and insurance in the amounts required for the type license normally required to demolish or dismantle the structure or part of the structure and naming the person, partnership or corporation doing the demolition or dismantling work and the Consolidated City of Indianapolis as ~~the assured~~, insured, and
- d. The ~~person, partnership or corporation~~ must be applicant is listed as a general contractor under Article ~~I IV, Division 2~~ of this chapter prior to obtaining any wrecking permits or accomplishing any demolition or dismantling work.

(5) The determinations under paragraphs (1-4) are to be made by the Board of Wrecking Examiners or an employee of the Department of Metropolitan Development designated by that board as qualified to make such determination. The board may appoint an alternate qualified employee for this designee.

In determining whether to issue a permit for wrecking pursuant to paragraphs (a1) through (e4) above, the administrator of the ~~division of neighborhood and~~ development services division may consult with and seek the advice of the board of wrecking examiners.

A determination by the Board's designee not to allow the nonlicensed person to accomplish the work under this section may be appealed to the board of wrecking examiners for reconsideration.

A person not licensed under this ~~division~~ article who is employed by a licensed wrecking contractor may, however, accomplish wrecking while working under the direction and control of a person who is a licensed wrecking contractor. The scope of activity of such nonlicensed person shall not extend beyond that allowed by the license type of the licensed wrecking contractor providing direction and control over the nonlicensed person. Such nonlicensed person shall not enter into or offer to enter into a contractual relationship with a consumer to himself engage in wrecking.

Construction activity which this ~~division~~ article allows licensed wrecking contractors to carry out is hereafter referred to in this ~~division~~ article as "wrecking."

Sec. ~~8-241~~ 875-402. Board of wrecking examiners.

A board of wrecking examiners (hereinafter in this chapter referred to as the "board") shall consist of six (6) members and shall carry out the provisions of this chapter relative to licensure of wrecking contractors. The administrator shall be a nonvoting member of the board, ex officio. The five (5) voting members of the board shall be appointed by the mayor for two (2) year terms in such manner that two (2) terms expire on January 1st of one year and three (3) other terms expire on January 1st of the next year. Two (2) of the five (5) members appointed by the mayor shall be persons to whom a license has been issued in accordance with this division, one appointed member shall be an architect registered in the state, one appointed member shall be a professional engineer registered in the state, one appointed member shall be a person (not licensed under this division) representing the public at large. At least one of the licensed appointed members shall hold a type A license. Each of the appointed members shall be a resident of the consolidated city. Members shall not receive compensation for serving on the board. Those members appointed by the mayor shall serve at his pleasure and shall hold no other elective or appointive office in the consolidated city.

Sec. ~~8-242~~ 875-403. Organization of board.

The board shall meet annually in each January on a date specified for regular monthly meetings in offices of the department of metropolitan development and elect a chairman and any other officers, who shall serve one year or until a successor is chosen, whichever is longer.



At its annual meeting each January, the board shall promulgate written policies and regulations concerning the administration of the written examination stated in section 8-247.

Said written policies and regulations shall be maintained and made available to the public through the offices of the division of development services.

Sec. ~~8-243~~ 875-404. Meetings of board.

The board shall hold regular meetings once each month in offices of the department of metropolitan development if there are one or more applications for licenses pending or other official business to come before the board. Special meetings may be called by the chairman or any two (2) members upon giving written notice fixing the time and place of the meeting at least two (2) days in advance of the special meeting. Three (3) appointed members of the board shall constitute a quorum for the transaction of all business.

Sec. ~~8-244~~ 875-405. Record of proceedings.

The board shall keep a summary record of its proceedings.

Sec. ~~8-245~~ 875-406. Register of applications.

The board shall maintain a register of all persons, partnerships and corporations which apply for licensure as a wrecking contractor and persons who apply for renewal of licensure ~~under this division~~ as a wrecking contractor:

- (1) If the applicant is a person the register shall show the date of application, the name of the applicant, the age, education, years of experience and other qualifications of the applicant, the addresses of the places of business and the residence of the applicant, the type of license for which application is made, whether the application is for an initial license or renewal of a license and whether the application was rejected or approved and the date of such action.
- (2) If the application is a partnership the register shall show the date of application, the name of the partnership, the addresses of its places of business, names of all partners and their respective residential addresses, the type of license for which application is made and whether the application was rejected or approved and the date of such action.
- (3) If the applicant is a corporation the register shall show the date of application, the name of the corporation, state of incorporation, addresses of its places of business, names of all officers and their respective residential addresses, the type of license for which application is made and whether the application was rejected or approved and the date of such action.

Sec. ~~8-246~~ 875-407. Qualifications for a person to be licensed as a wrecking contractor.

A person shall be entitled to receive one license of the appropriate type as a wrecking contractor (either initially or by renewal of a license) if the following requirements are met:

- (1) The person:
  - a. Meets the written examination requirement stated in section 875-408, and the experience requirement stated in section 875-409; or
  - b. Meets the equivalent examination requirement stated in section 875-410 and the experience requirement stated in section 875-409; or
  - c. Meets the eligibility for renewal requirement stated in section 875-411; and
- (2) The person does not presently have a license issued under this ~~division~~ article suspended nor has he had such license revoked within a period of the preceding seven hundred thirty (730) days; and
- (3) The board has not, within the preceding three hundred sixty-five (365) days, determined in accordance with section 875-421 that the person is not eligible for license renewal; and

- (4) The person has submitted an acceptable bond and certificates of insurance as required by sections 875-415 and 875-416 unless this requirement is relieved because either such person meets the partnership or corporate agent status requirement stated in section 875-412 or such person meets the inspector status requirement stated in section 875-413; and

- (5) The person has paid the fee specified by section 8-87.

Unless these requirements are met a person shall not be entitled to a wrecking contractor's license of the appropriate type.

Sec. ~~8-247~~ 875-408. Written examination.

The written examination requirement of section 875-406(1) is met by a person who demonstrates his understanding of the following subject matter areas by attaining a passing score on a written examination administered by the board relative to wrecking for which such license of the applicable type is required:

- (1) General knowledge of the provisions of this chapter and other relevant ordinances of the consolidated city; and
- (2) General knowledge of the rules and regulations of the ~~administrative building council~~ Indiana Fire Prevention and Building Safety Commission, state and federal agencies applicable in the consolidated city; and
- (3) Expert knowledge about the proper, practical and safe methods of accomplishing wrecking.

Sec. ~~8-248~~ 875-409. Experience.

The experience requirement of section 875-406(1) is met by a person who has had at least the following number of years of practical work experience pertaining to wrecking, either in a supervisory capacity or as an operator of heavy equipment on wrecking sites:

Type A license	6 years
Type B license	4 years
Type C license	2 years

Sec. ~~8-249~~ 875-410. Equivalent examination.

The equivalent examination requirement of section 875-407(1) is met by a person who demonstrates, either orally or in writing, to the satisfaction of the board his familiarity with this chapter and presents evidence satisfactory to the board at one of its meetings that he currently practices the trade of a wrecking contractor and that he is presently licensed in good standing as a result of his successfully completing an examination administered by a licensure board for another state or another municipality which was then the equivalent in scope of subject matter and difficulty as the examination presently administered by the board for the applicable license type.

Sec. ~~8-250~~ 875-411. Eligibility for license renewal.

The eligibility for renewal requirement of section 875-407(1) is met by a person who:

- (1) Has held an unrevoked license of the same type (or any other type identified by a letter nearer the start of the alphabet) under this ~~division~~ article within the preceding seven hundred thirty (730) days; or
- (2) Has held an unrevoked license of the same type (or any other type identified by a letter nearer the start of the alphabet) under this ~~division~~ article within the preceding one thousand four hundred sixty (1,460) days and demonstrates to the satisfaction of the board that during at least two (2) years of that period the person has been actively engaged, in the Consolidated City of Indianapolis or elsewhere, in wrecking.

Sec. ~~8-251~~ 875-412. Partnership or corporate agent status.

The partnership or corporate agent status requirement of section 875-407(4) is met by a person who:



- (1) Is a partner or employee of a partnership or an officer or employee of a corporation which is licensed under this ~~division article~~; and
- (2) Does not make any use of his license as a wrecking contractor other than as an agent of the partnership or corporation.

Whenever such person has occasion to enter into a transaction or take action for which licensure under this ~~division article~~ is required, he shall clearly state the fact he is acting as agent for an identified partnership or corporate principal.

Sec. ~~8-252~~ 875-413. Inspector status.

The inspector status requirement of section 875-407(4) is met by a person who is employed full time by the ~~division of neighborhood and development services division~~ in a position in which he makes or supervises the making of inspections to determine compliance with building standards and procedures relating to wrecking, Article II provisions or this ~~division article~~ of this chapter. Such a person shall not use a license as a wrecking contractor other than with respect to his employment by the Consolidated City of Indianapolis. Licensure under this section terminates by operation of law when the person is no longer employed by the ~~division of neighborhood and development services division~~ and does not meet the requirements of sections 875-415 and 875-416.

Sec. ~~8-253~~ 875-414. Qualifications for a partnership or corporation to be licensed as a wrecking contractor.

A partnership or corporation shall be entitled to receive one license of the appropriate type as a wrecking contractor if the following requirements are met:

- (1) At least one general partner (who is a person) or employee of a partnership or at least one officer or employee of a corporation holds a license of the same type (or any other type identified by a letter nearer the start of the alphabet) under this ~~division article~~ as that relative to which the partnership or corporation has made application; provided, however, that an unlicensed general partner or employee of a partnership or an unlicensed officer or employee of a corporation shall be deemed to fulfill the requirement of this paragraph if such person is prevented from meeting the requirements of section 875-407 for licensure of the applicable type solely because the person cannot comply with the requirements of section 875-412 because the partnership or corporation of which he is a partner or employee or officer or employee is not licensed under this ~~division article~~ and such partner or employee or officer or employee has submitted an application for licensure so that the licenses of the partner or employee and partnership or officer or employee and corporation can be approved and issued simultaneously; and
- (2) The partnership or corporation does not presently have a license issued under this ~~division article~~ suspended nor has it had such a license revoked within a period of the preceding seven hundred thirty (730) days; and
- (3) The board has not, within the preceding three hundred sixty-five (365) days, determined in accordance with section 875-421 that the partnership or corporation is not eligible to receive a successor license; and
- (4) The partnership does not presently have a partner or the corporation does not presently have an officer who has a license under this ~~division article~~ presently suspended or who has had such a license revoked within the preceding seven hundred thirty (730) days or a determination made of ineligibility of license renewal within the preceding three hundred sixty-five (365) days; and
- (5) The partnership does not presently have a partner or the corporation does not presently have an officer who, within the preceding three hundred sixty-five (365) days, served as a partner in a partnership or officer in a corporation licensed under this ~~division article~~ at the time when actions related to policies or practices of the partnership or corporation occurred which provided the primary basis on which the license of the partnership or corporation was revoked, suspended for more than one year, or a determination made of ineligibility for receipt of a successor license; and
- (6) The partnership or corporation has submitted an acceptable bond and certificates of insurance as required by sections 875-415 and 875-416; and

August 8, 1994

- (7) The partnership or corporation has paid the fee specified by Article II, Division 6 of ~~this~~ chapter 8 of the Code.

Unless these requirements are met a partnership or corporation shall not be entitled to a wrecking contractor's license of the appropriate type.

Sec. ~~8-254~~ 875-415. Bond.

(a) Before a license is issued by the ~~division of neighborhood and development services~~ division to any person, partnership or corporation, the administrator of the division shall require the applicant to file a surety bond in the amount of thirty thousand dollars (\$30,000.00) in the case of a type A license, twenty thousand dollars (\$20,000.00) in the case of a type B license and ten thousand dollars (\$10,000.00) in the case of a type C license. The bond shall be maintained in full force and effect for a period of not less than one year. The bond shall set forth the name, phone number and address of the agent representing the bonding company and shall be:

- (1) Issued by a surety authorized to do business in Indiana;
- (2) Payable to the Consolidated City of Indianapolis or an unknown third party as obligee;
- (3) Conditioned upon:
  - a. Compliance with requirements set forth in this chapter which must be met to retain licensure; and
  - b. Prompt payment of all fees owed the consolidated city as set forth in this chapter; and
  - c. Prompt payment to the Consolidated City of Indianapolis for any loss or expense for damages to property of the Consolidated City of Indianapolis caused by any action of the contractor, his agents or employees, principals, subcontractors, materialmen or suppliers in violation of building standards and procedures while engaged in any wrecking or any related construction activity; and
  - d. Prompt payment to a person, partnership or corporation which is an unknown third party obligee for any:
    1. Losses arising out of violation,
    2. Expenses necessary to correct violations, and
    3. Court costs and attorney fees allowed by the court incurred in connection with the commencement and prosecution of a court action to recover such losses and expenses for violations of building standards and procedures caused by any action of the contractor, his agents, employees, principals, subcontractors, materialmen or suppliers while engaged in wrecking or any related construction activity.

However, the surety is not responsible under the bond for losses or expenses arising out of negligent conduct or improper workmanship unless such conduct or workmanship violates requirements of building standards and procedures.

(b) The administrator may accept in lieu of the surety bond a properly conditioned irrevocable letter of credit in the amount of thirty thousand dollars (\$30,000.00) in the case of a type A license, twenty thousand dollars (\$20,000.00) in the case of a type B license and ten thousand dollars (\$10,000.00) in the case of a type C license if the city controller approved the obligor financial institution as being financially responsible and if the corporation counsel approves the letter of credit as affording the same protections to the City of Indianapolis and an unknown third party as the protections afforded by the surety bond.

(c) The obligation of the surety and financial institution relative to this bond or letter of credit is limited to thirty thousand dollars (\$30,000.00) in the case of a type A license, twenty thousand dollars (\$20,000.00) in the case of a type B license and ten thousand dollars (\$10,000.00) in the case of a type C license. A surety or financial institution may pay on the bond or disburse from the letter of credit to pay a claim in full at any time when that claim and pending claims (reflected by written notice to the surety or financial institution) together do not exceed the unpaid penalty of the bond or the undisbursed balance of the letter of credit. If written notice is received of claims which exceed the unpaid penalty of the bond or undisbursed balance of the letter of credit, the surety or financial institution shall pro-rate payment according to the amount of such claims.



Sec. ~~8-255~~ 875-416. Insurance.

The insurance requirements are met if the person, partnership or corporation secures insurance covering all wrecking and related construction activity accomplished by the licensee or under permits obtained by the licensee and thereafter maintains such insurance in full force and effect:

- (1) A public liability and property damage insurance policy assuring the licensee and naming the Consolidated City of Indianapolis as an "additional assured," and providing also for the payment of any liability imposed by law on such licensee or the Consolidated City of Indianapolis arising out of operations being performed by or on behalf of the licensee in the minimum amounts of five hundred thousand dollars (\$500,000.00) for combined bodily injury and property damage coverage or five hundred thousand dollars (\$500,000.00) for any occurrence relative to which there is injury or death to one or more persons, and one hundred thousand dollars (\$100,000.00) for any occurrence relative to which there is damage to property. A certificate of such policy shall be delivered to the administrator of the division of development services.
- (2) Workman's compensation insurance covering the personnel employed for death or injury arising out of operations being performed by or on behalf of the licensee. A certificate of such insurance shall be delivered to the administrator of the ~~division of neighborhood and development services~~ division. This provision shall not apply if the licensee has no employees and gives appropriate notice to the ~~division of neighborhood and development services~~ division.

The insurance carrier shall give notice both to the licensee and the ~~division of neighborhood and development services~~ division at least fifteen (15) days before such insurance is either canceled or not renewed, and the certificate shall state this obligation.

Sec. ~~8-256~~ 875-417. Types of license.

There shall be three (3) types of license approved by the board pursuant to this ~~division~~ article:

- (1) The type A license authorizes the holder thereof to wreck structures without limitation;
- (2) The type B license authorizes the holder thereof to wreck structures up to seventy-five (75) feet in height;
- (3) The type C license authorizes the holder thereof to wreck wood-frame and solid masonry structures not exceeding three (3) stories or fifty (50) feet in height, whichever is less.

Sec. ~~8-257~~ 875-418. Board's approval for licensure.

Approval for licensure of a person, partnership or corporation as a wrecking contractor of the appropriate type shall be in writing signed by a majority of the board of contractors. The board may, however, by resolution agreed to by a majority of the board delegate to one of its officers or the administrator of the ~~division of neighborhood and development services~~ division authority to approve applications for licensure or renewal of licensure on behalf of the board in instances where the applicant is a person whose eligibility for license renewal is established by section 875-411(1) or the applicant is a partnership or corporation.

Upon delivery of such approval a wrecking contractor's license of the appropriate type shall be issued by the controller for a period of one year. No license shall be issued by the controller to any person, partnership or corporation as a wrecking contractor except as provided in this ~~division~~ article.

Sec. ~~8-258~~ 875-419. License personal, not transferable.

No license issued under the provisions of this ~~division~~ article shall be assigned or transferred.

Sec. ~~8-259~~ 875-420. Supervision by licensee.

All wrecking shall be accomplished under the direction and control of either:

- (1) The licensed person who applied for the building permit; or

- (2) If the building permit has been transferred, the licensed person who is the applicant representing the transferee of the building permit; or
- (3) If the applicant for the building permit no longer is able or desires to continue his responsibilities and obligations as the applicant and the obtainer of the building permit is a partnership which has a licensed person as a partner or a corporation which has a licensed person as an officer who meets the requirements imposed by section 8-31 to apply for such a building permit in the first instance, such licensed partner or officer upon his notifying (using a form furnished by the division of neighborhood and development services division) the administrator of the neighborhood and development services division of his assumption of the responsibilities and obligations of the applicant for the specified building permit.

The licensed person providing direction and control shall specify work processes and supervise the person or persons accomplishing the wrecking. Such licensed person or a competent person responsible to him must be present at the site when any significant wrecking occurs.

Sec. ~~8-260~~ 875-421. License suspension, revocation or determination of ineligibility for renewal for a person.

The board may, under section 875-423, suspend the license of a person for a period of up to seven hundred thirty (730) days, revoke the license of a person, or determine on the basis of activities carried out while licensed that a person who is or has been licensed within the previous three hundred sixty-five (365) days is ineligible for license renewal, if one of the following is shown:

- (1) The licensee made any materially false statement of fact either to the board or on his application for license renewal; or
- (2) The licensee acted fraudulently in the license examination; or
- (3) The licensee (but not including licensees who are exempt because of compliance with the requirements of section 875-412 or section 875-413) failed to post and maintain the surety bond and insurance required by sections 875-415 and 875-416; or
- (4) The licensee acted fraudulently or with deceit in his relationship with other persons, partnership or corporations with which he dealt in connection with wrecking; or
- (5) Wrecking for which the licensee was responsible as applicant for the permit or applicant representing the transferee of the permit was performed either incompetently or in such manner that it does not meet standards of reasonable workmanship or compliance with building standards and procedures; or
- (6) The licensee failed to correct a violation of building standards and procedures relative to wrecking for which the licensee was responsible as applicant for the permit or applicant representing the transferee of the permit, after the administrator of the division of neighborhood and development services division issued notice of a building code violation, revoked a building permit or issued a stop-work order and the violation(s) causing any of these actions remained uncorrected for a period of ten (10) days from the date of issuance of the notice of the building code violation, revocation of permit or stop-work order, or in the instance where a period ten (10) days was not sufficient, such longer period of time as was fixed by the administrator in writing; or
- (7) The licensee has consistently failed to apply for or obtain required applicable permits for wrecking accomplished by the licensee or under his supervision; or
- (8) The licensee has consistently failed to give notice of availability for inspection at designated stages of wrecking as required by section 8-61; or
- (9) The licensee has consistently failed to timely file certificates of completion and compliance for wrecking relative to which he was the applicant for the permits or applicant representing the transferee of the permits; or
- (10) The licensee, excluding licensees who meet the inspector status requirement of section 875-409, has not for a period of five (5) continuous years accomplished or supervised the accomplishment of a significant amount of wrecking; or



- (11) The licensee qualified for licensure without meeting the bond and insurance requirements of sections 875-415 and 875-416 by meeting the inspector status requirements of section 875-413, but is no longer employed by the division of development services and does not meet the requirements of sections 875-415 and 875-416; or
- (12) The licensee qualified for licensure without meeting the bond and insurance requirements of sections 875-415 and 875-416 by meeting the partnership or corporate agent requirements of section 875-408 but, without presently meeting the requirements of sections 875-415 and 875-416, either he:
  - a. is no longer a partner or employee of a partnership or an officer or employee of a corporation licensed under this ~~division~~ article; or
  - b. Has made use of his license other than as an agent of the partnership or corporation named in his application; or
- (13) The licensee has not properly paid the fee specified by section 8-87 for a license which has been issued or is delinquent in other fees owed pursuant to this chapter; or
- (14) The licensee has failed to give proper supervision to wrecking in accordance with the requirements of section 875-420; or
- (15) The licensee holding a type B or type C wrecking license has accomplished (without supervision by a licensee of the appropriate type) or supervised the accomplishment of wrecking without having the type license which is required for such construction activity; or
- (16) The licensee has attempted to conceal or has concealed violations of building standards and procedures.

Sec. ~~8-261~~ 875-422. License suspension, revocation or determination of ineligibility for receipt of a successor license for a partnership or corporation.

The board may, under section 875-419, suspend the license of a partnership or corporation for a period of up to seven hundred thirty (730) days, revoke the license of a partnership or corporation, or determine on the basis of activities carried out while licensed within the previous three hundred sixty-five (365) days that the partnership or corporation is ineligible to receive a successor license, if one of the following is shown:

- (1) A materially false statement of fact was made to the board by an agent of the licensee or placed on the licensee's application for license; or
- (2) The licensee failed to post and maintain a surety bond and insurance required by sections 875-415 and 875-416; or
- (3) An agent of the licensee acted fraudulently or with deceit in his relationship with other persons, partnership or corporations with which it dealt in connection with wrecking; or
- (4) Wrecking for which the licensee was responsible as obtainer of the permit or as transferee of the permit was performed either incompetently or in such manner that it does not meet standards of reasonable workmanship or compliance with building standards and procedures; or
- (5) The licensee failed to correct a violation of building standards and procedures relative to wrecking for which the licensee was responsible as obtainer of the permit or as transferee of the permit, after the administrator of the ~~division of neighborhood and development services~~ division issued notice of a building code violation, revoked a building permit or issued a stop-work order and the violation(s) causing any of these actions remained uncorrected for a period of ten (10) days from the date of issuance of the notice of the building code violation, revocation of permit or stop-work order, or in the instance where a period ten (10) days was not sufficient, such longer period of time as was fixed by the administrator in writing; or
- (6) The licensee has consistently failed to obtain required applicable permits for wrecking accomplished by the licensee; or

- (7) The licensee has consistently failed to give notice of availability for inspection at designated stages of wrecking as required by section 8-61; or
- (8) The licensee has consistently failed to timely file certificates of completion and compliance, as required, for wrecking accomplished pursuant to his license; or
- (9) The licensee has not properly paid the fee specified by section 8-87 for a license which has been issued or is delinquent in the payment of fees owed pursuant to this chapter; or
- (10) If a partnership, does not have a licensed person as a general partner or employee, or if a corporation, does not have a licensed person as an officer or employee; or
- (11) The partnership presently has a partner or the corporation presently has an officer who has a license under this ~~division~~ article presently suspended or who has had such a license revoked within the preceding seven hundred thirty (730) days or a determination made of ineligibility of license renewal within the preceding three hundred sixty-five (365) days; or
- (12) The partnership presently has a partner or the corporation presently has an officer who, within the previous three hundred sixty-five (365) days, served as a partner in a partnership or an officer in a corporation licensed under this ~~division~~ article at the time when actions related to policies or practices of the partnership or corporation occurred which provided the primary basis on which the license of the partnership or corporation was revoked, suspended for more than three hundred sixty-five (365) days, or a determination made of ineligibility for receipt of a successor license; or
- (13) Wrecking, for which the licensee holding a type B or type C wrecking license is responsible as obtainer of the permit or as transferee of the permit, was performed without the licensee having the type license which is required for such wrecking activity; or
- (14) The licensee has attempted to conceal or has concealed violations of building standards and procedures.

Sec. ~~8-262~~ 875-423. Hearing and appeal.

(a) The date and place for a revocation or suspension hearing shall be fixed by the board and at least ten (10) days before such date a written notice of the general nature of the charges, prepared by the ~~division of neighborhood and development services~~ division, and of the time and place of the hearing thereon shall be served upon the licensee, either by hand delivery to the charged person or to a partner of a charged partnership or officer of a charged corporation, or by certified mail with return receipt requested, addressed to the licensee at his main place of business as shown by the licensee's application for license or license renewal. The ten (10) or more days shall run from the date such notice is mailed. In the instance where charges are made which have a similar factual basis and a business relationship exists (as, for example, charges against two (2) licensed partners or charges against a licensed corporation and a licensed corporate officer), the board may hear evidence relative to two (2) or more charges at the same hearing.

(b) The licensee may appear in person or by counsel and produce evidence (including testimonial and documentary evidence), make argument and cross-examine witnesses at such hearing. The ~~division of neighborhood and development services~~ division shall have the same right. The board may cause or allow any other relevant evidence to be introduced. On the basis of evidence presented at the hearing, the board shall make findings and enter an order in accordance with such findings, which shall not become effective until ten (10) days after notice and a copy thereof has been served upon the licensee, in the manner required for notice of the hearing.

(c) On or before ten (10) days after service of said order, the licensee may appeal therefrom to the director of the department of metropolitan development, by serving a notice of appeal upon the director either in person or by filing it at his office, with a copy thereof delivered to the board at the office of the administrator of the ~~division of neighborhood and development services~~ division, who shall deliver such copy to the board. Unless such appeal is so taken, the order of the board shall be final.

(d) If so appealed, the order of the board shall be stayed until the appeal is heard and determined by the director of the department of metropolitan development or a representative designated in writing (but not an employee of the ~~division of neighborhood and development services~~ division) by the director, under the procedure prescribed by statute for hearings on the suspension or revocation of licenses. The director or his representative shall thereupon render such decision as he finds justified and sustained by the evidence, either



affirming, reversing or modifying the terms of the order of the board. The order of the director of his representative shall be final and conclusive and be binding upon both the licensee and the board.

#### ARTICLE V. REGISTRATION OF PLUMBING CONTRACTORS

##### Sec. ~~8-270~~ 875-501. Registration.

Any person or corporation which is licensed by the Indiana Plumbing Commission as a plumbing contractor pursuant to Public Law 188 of the Acts of 1972, as amended, and which performs any work within the Consolidated City of Indianapolis which it is privileged to accomplish pursuant to such license shall register with the administrator of the division of development services. Such registration shall be accomplished by annually paying a fee specified by section 8-87 and by furnishing the following information on a form supplied by the division of development services:

- (1) Name of business;
- (2) Legal status (whether sole proprietor, member of partnership or corporation);
- (3) Address of business;
- (4) The identification number of the license issued by the Indiana Plumbing Commission;
- (5) In the instance of a corporation which is a licensed plumbing contractor, the name of all corporate officers or employees who hold a plumbing contractor's license and are authorized by the corporation to obtain building permits on behalf of the corporation for construction activity relative to which state licensure as a plumbing contractor is required.

Such registration shall expire on December 31st of the year of registration, or at such earlier time as the person or corporation is not licensed by the Indiana Plumbing Commission as a plumbing contractor.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NO. 283, 1994. Councillor Gilmer reported that the Capital Asset Management Committee recommended that Proposal No. 283, 1994 be adopted on May 18, 1994. The Council returned it to Committee on May 23, 1994. The Committee heard it again on July 20, 1994. The proposal, sponsored by Councillors Giffin, Golc and Short, amends the Code by authorizing a change in speed limits for segments of Raymond Street and Airport Expressway (Districts 17, 19, 21). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Gilmer asked Ron Greiwe, Engineer, Department of Capital Asset Management (DCAM), to explain why that section of the Airport Expressway needs to be reduced to 45 mph. Mr. Greiwe stated that in the past three years there have been forty-eight accidents on this segment between the I-465 and the I-70 interchanges. The road has a design speed of 45 mph, which was determined by DCAM's consulting engineer, Clint Sparks. There are a total

August 8, 1994

of six on and off ramps in this stretch of road, so in order to provide safe and efficient traffic flow the speed limit has to be 45 mph. Since this section has been designed for 45 mph there is a liability concern if the speed limit is increased.

Councillor Curry asked why this section of highway was deliberately designed for 45 mph. Mr. Greiwe said that the standards were different when the Airport Expressway was first built. The design engineer had to accept the existing ramps. DCAM made an attempt to close one of these interchanges, but was unsuccessful. The Park Fletcher Industrial Park paid for some of the initial construction cost when the Airport Expressway was built. Councillor Curry said that he believed that segment of the Airport Expressway could have been designed better.

Councillor Coughenour said that she did not think that a 45 mph speed limit for that segment is realistic.

Councillor Jimison moved the question. Councillor Short seconded the motion.

Councillor Gilmer moved, seconded by Councillor Short, for adoption. Proposal No. 283, 1994 was adopted on the following roll call vote; viz:

*18 YEAS: Beadling, Black, Boyd, Brents, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, Moriarty Adams, O'Dell, Ruhmkorff, Schneider, Shambaugh, Smith, West*

*8 NAYS: Borst, Coughenour, Curry, Franklin, McClamroch, Mullin, Rhodes, SerVaas*

*1 NOT VOTING: Short*

*2 NOT PRESENT: Dowden, Williams*

Proposal No. 283, 1994 was retitled GENERAL ORDINANCE NO. 96, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 96, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-136, Alteration of prima facie speed limits.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-136, Alteration of prima facie speed limits, be, and the same is hereby amended by the deletion of the following, to wit:

*55 MPH*

Airport Expressway,  
from I-465 to Holt Road

*45 MPH*

Airport Expressway,  
from High School Road to I-465

Raymond Street,  
from Holt Road to White River Parkway West Drive



*40 MPH*

Raymond Street,  
from Kentucky Avenue to White River Bridge

*35 MPH*

Raymond Street,  
from Meridian Street to Shelby Street

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Sec. 29-136, Alteration of prima facie speed limits, be and the same is hereby amended by the addition of the following, to wit:

*45 MPH*

Airport Expressway,  
from High School road to Holt Road

Raymond Street,  
from Holt Road to Kentucky Avenue

*40 MPH*

Raymond Street,  
from Kentucky Avenue to Capitol Avenue

*35 MPH*

Raymond Street,  
from Capitol Avenue to Shelby Street

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 329, 1994. Councillor Giffin reported that the Parks and Recreation Committee heard Proposal No. 329, 1994 on July 21, 1994. The proposal, sponsored by Councillor O'Dell, approves the lease of Department of Parks and Recreation property commonly referred to as the Post Road Community Center. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Giffin moved, seconded by Councillor O'Dell, for adoption. Proposal No. 329, 1994 was adopted on the following roll call vote; viz:

*24 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Giffin, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith*

*0 NAYS:*

*3 NOT VOTING: Gilmer, Gray, West*

*2 NOT PRESENT: Dowden, Williams*

Proposal No. 329, 1994 was retitled SPECIAL RESOLUTION NO. 59, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 59, 1994

A SPECIAL RESOLUTION approving the leasing of certain real estate of the Department of Parks and Recreation.

August 8, 1994

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council hereby approves, pursuant to IC 36-1-11-3 the lease of property of the Department of Parks and Recreation for the purpose of providing banquet facilities and food and beverage services.

SECTION 2. The property is located at 1313 South Post Road, Indianapolis, Indiana and is commonly referred to as the Post Road Community Center.

SECTION 3. The annual rental payment for the banquet operations upon commencement of the lease shall be an amount equal to fifteen percent (15%) on all gross sales made from the operation.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 344, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 344, 1994 on July 20, 1994. The proposal, sponsored by Councillor Smith, amending the Code by authorizing a change in the speed limit on Post Road from I-74 to Northeastern Avenue (Districts 13, 23). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Gilmer moved, seconded by Councillor Smith, for adoption. Proposal No. 344, 1994, as amended, was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

0 NAYS:

1 NOT VOTING: *Mullin*

2 NOT PRESENT: *Dowden, Williams*

Proposal No. 344, 1994, as amended, was retitled GENERAL ORDINANCE NO. 97, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 97, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-136, Alteration of prima facie speed limits.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-136, Alteration of prima facie speed limits, be, and the same is hereby amended by the addition of the following, to wit:

35 MPH

Post Road, from  
3300 South Post Road to Northeastern Avenue

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 366, 1994. Councillor Franklin reported that the Public Safety and Criminal Justice Committee heard Proposal No. 366, 1994 on July 27, 1994. The proposal transfers and appropriates \$4,000 for the Superior Court, Juvenile Division/Detention Center to purchase strategic planning supplies. By a 3-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Franklin moved, seconded



by Councillor Moriarty Adams, for adoption. Proposal No. 366, 1994 was adopted on the following roll call vote; viz:

18 YEAS: Boyd, Brents, Franklin, Giffin, Gilmer, Golc, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, West  
8 NAYS: Beadling, Black, Borst, Curry, Gray, Hinkle, O'Dell, Smith  
1 NOT VOTING: Coughenour  
2 NOT PRESENT: Dowden, Williams

Proposal No. 366, 1994 was retitled FISCAL ORDINANCE NO. 63, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 63, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Four Thousand Dollars (\$4,000) in the County Grants Fund for purposes of the Superior Court, Juvenile Division/Detention Center, and reducing certain other appropriations for that division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (II) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Juvenile Division/Detention Center, to purchase strategic planning supplies.

SECTION 2. The sum of Four Thousand Dollars (\$4,000) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>SUPERIOR COURT, JUVENILE DIVISION/DETENTION CENTER</u>	<u>COUNTY GRANTS FUND</u>
2. Supplies	4,000
TOTAL INCREASE	4,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>SUPERIOR COURT, JUVENILE DIVISION/DETENTION CENTER</u>	<u>COUNTY GRANTS FUND</u>
3. Other Services and Charges	4,000
TOTAL REDUCTION	4,000

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor, are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 370, 1994. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 370, 1994 on June 28 and July 18, 1994. The proposal, sponsored by Councillors McClamroch, Dowden, Franklin, Golc, Gray, SerVaas and Smith, authorizes and requests the Indianapolis-Marion County Building Authority to proceed to secure portions of the City-County Building used by courts. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

August 8, 1994

Councillor Curry moved to amend Proposal No. 370, 1994 by substituting the word "proposed" for the word "approved" in Sections 1 and 3 and by correcting the spelling of the word "devices" in Section 2(1). This motion was seconded by Councillor McClamroch and passed by a unanimous voice vote.

Councillor Short suggested that the digest of the proposal be changed to include the text "with a study for securing" after the words "to proceed." Councillor Curry agreed.

Councillor Curry moved, seconded by Councillor McClamroch, for adoption. Proposal No. 370, 1994, as amended, was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith*  
2 NAYS: *Ruhmkorff, West*  
2 NOT PRESENT: *Dowden, Williams*

Proposal No. 370, 1994, as amended was retitled SPECIAL RESOLUTION NO. 60, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 60, 1994

A SPECIAL RESOLUTION authorizing and requesting the Indianapolis-Marion County Building Authority to proceed with a study securing portions of the City-County Building used by courts.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Modifications of the City-County Building to provide security for courts are hereby proposed.

SECTION 2. The Indianapolis-Marion County Building Authority is hereby requested to plan the financing for personnel and physical modifications of the City-County Building as necessary to implement a plan which may include the following:

- (1) Security for the entire west wing including metal detectors and scanning devices placed on the first floor;
- (2) Security for the basement including metal detectors and scanning devices placed between the escalator and double door entrance to the basement hallway; and
- (3) Security for any floor or court in the tower and east wing on which courts are located, if requested by the judges presiding in such courts, including metal detectors placed on each such floor or court.

SECTION 3. The Indianapolis-Marion County Building Authority shall present to the Council within sixty days of the adoption of this resolution, the budget for such modifications. Such budget shall include the costs of building modifications and equipment necessary to complete the plan proposed in Section 2. The Building Authority shall consult with the Superior Courts' Administrator and the Presiding Judge of the Municipal Courts to develop the budgetary requirement for the courts to provide personnel to operate the security devices.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 371, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 371, 1994 on July 20, 1994. The proposal, sponsored by Councillor Williams, amends the Code by authorizing a multi-way stop at Broadway Street and 24th Street and at Carrollton Avenue and 24th Street (District 22). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.



Councillor Gilmer moved, seconded by Councillor Golc, for adoption. Proposal No. 371, 1994 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

0 NAYS:

1 NOT VOTING: *Rhodes*

2 NOT PRESENT: *Dowden, Williams*

Proposal No. 371, 1994 was retitled GENERAL ORDINANCE NO. 98, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 98, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 4	Broadway & 24th St	Broadway	Stop
25, Pg. 6	Carrollton Av & 24th St	Carrollton Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 4	Broadway St & 24th St	None	All Stop
25, Pg. 6	Carrollton Av & 24th St	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 387, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 387, 1994 on July 28, 1994. The proposal authorizes Marion County to provide worker's compensation by participation in the Indiana Public Employees' Plan, Inc. By a 4-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 387, 1994 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith, West*

0 NAYS:

August 8, 1994

1 NOT VOTING: Short

2 NOT PRESENT: Dowden, Williams

Councillor Short stated that he abstained due to a possible conflict of interest.

Proposal No. 387, 1994 was retitled GENERAL RESOLUTION NO. 1, 1994 and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 1, 1994

A PROPOSAL FOR A GENERAL RESOLUTION authorizing Marion County to participate in the Indiana Public Employees' Plan Inc., pursuant to IC 36-1-7.

WHEREAS, the cost of providing coverage for County employees pursuant to IC 22-3 et seq. has risen over the past years, and

WHEREAS, the County desires to participate in a risk-sharing pool of other Indiana government entities in order to reduce those costs, and

WHEREAS, such a pool has been established pursuant to the provisions of IC 36-1-7, now therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The County of Marion is hereby authorized to participate in the Indiana Public Employees' Plan, Inc.

SECTION 2. The Office of the Marion County Auditor is authorized to enter into an agreement with Indiana Public Employees' Plan, Inc. and to perform all other acts necessary for the County's participation.

SECTION 3. Should any provision, section, paragraph, sentence, clause or any other portion of this resolution be declared by a Court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if, such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this resolution. To this end the provisions of this resolution are severable.

SECTION 4. This Resolution shall be in full force and effect after compliance with the provisions of IC 36-3-4-14.

PROPOSAL NO. 388, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 388, 1994 on July 28, 1994. The proposal amends the Revised Code to provide service of citations by first-class mail. Councillor Rhodes stated that civil zoning violations are presently sent by certified mail which costs an additional \$2 per notice. The Prosecutor's Office examined the situation and could not determine any valid reason for the certified mailings. This will save the taxpayers money. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Shambaugh, for adoption. Proposal No. 388, 1994 was adopted on the following roll call vote; viz:

26 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West

1 NAY: Beadling

2 NOT PRESENT: Dowden, Williams

Proposal No. 388, 1994 was retitled GENERAL ORDINANCE NO. 99, 1994 and reads as follows:



CITY-COUNTY GENERAL ORDINANCE NO. 99, 1994

A GENERAL ORDINANCE amending the Revised Code to provide service of citations by first-class mail.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Chapter 103 of the Revised Code of the Consolidated City and County is amended by the deletion of the stricken-through text and the insertion of the underlined text, to read as follows:

Sec. 103-56. Service of citation.

A citation of a violation subject to this article shall be served by the issuing official upon the alleged violator; service may be as follows:

- (1) If the alleged violator is present, it shall be delivered personally to the alleged violator.
- (2) If the alleged violator is not present and the violation involves specific premises, it shall be served on the owner or other person in possession of the premises either in person or by certified first-class mail, ~~return receipt requested~~.
- (3) If the alleged violator is not present and the violation involves a motor vehicle, it shall be delivered either to any competent person in possession or in charge of the motor vehicle or, if no such person is present, to the owner or operator of the motor vehicle by posting or attaching the written citation and notice in a conspicuous space upon the vehicle.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NO. 399, 1994. Councillor Franklin reported that the Public Safety and Criminal Justice Committee heard Proposal No. 399, 1994 on July 13, 1994. The proposal is an appropriation to purchase a computer for the Department of Public Safety, Weights and Measures Division, from the Consolidated County Fund in the amount of \$3,100 financed by a transfer between characters in the Consolidated County Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Franklin moved, seconded by Councillor Schneider, for adoption. Proposal No. 399, 1994 was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

0 NAYS:

2 NOT VOTING: *Black, Gray*

2 NOT PRESENT: *Dowden, Williams*

August 8, 1994

Proposal No. 399, 1994 was retitled FISCAL ORDINANCE NO. 64, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 64, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Three Thousand One Hundred Dollars (\$3,100) in the Consolidated County Fund for purposes of the Department of Public Safety, Weights and Measures Division, and reducing certain other appropriations for that division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01.(m) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Weights and Measures Division, to purchase an upgraded computer.

SECTION 2. The sum of Three Thousand One Hundred Dollars (\$3,100) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u> <u>WEIGHTS AND MEASURES DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
4. Capital Outlay	<u>3,100</u>
TOTAL INCREASE	3,100

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>DEPARTMENT OF PUBLIC SAFETY</u> <u>WEIGHTS AND MEASURES DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
3. Other Services and Charges	<u>3,100</u>
TOTAL REDUCTION	3,100

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 401, 1994. Councillor Franklin reported that the Public Safety and Criminal Justice Committee heard Proposal No. 401, 1994 on July 27, 1994. The proposal is an appropriation to fund a certified substance abuse program in the Community Corrections Jail Component for Community Corrections from the Home Detention User Fee Fund in the amount of \$11,400 financed by unspent 1993-94 Home Detention User Fees. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Franklin moved, seconded by Councillor Curry, for adoption. Proposal No. 401, 1994 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

1 NAY: *Black*

2 NOT PRESENT: *Dowden, Williams*

Proposal No. 401, 1994 was retitled FISCAL ORDINANCE NO. 65, 1994 and reads as follows:



CITY-COUNTY FISCAL ORDINANCE NO. 65, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Eleven Thousand Four Hundred Dollars (\$11,400) in the Home Detention User Fee Fund (FY94-95) for purposes of Community Corrections and reducing certain other appropriations in the Home Detention User Fee Fund (FY93-94).

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (bb) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Community Corrections to provide a certified substance abuse program in the Community Corrections Jail Component.

SECTION 2. The sum of Eleven Thousand Four Hundred Dollars (\$11,400) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COMMUNITY CORRECTIONS</u>	<u>HOME DETENTION USER FEE FUND FY94-95</u>
3. Other Services and Charges	<u>11,400</u>
TOTAL INCREASE	11,400

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>COMMUNITY CORRECTIONS</u>	<u>HOME DETENTION USER FEE FUND FY93-94</u>
1. Personal Services	6,400
2. Supplies	3,000
3. Other Services and Charges	<u>2,000</u>
TOTAL REDUCTION	11,400

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 402, 1994. Councillor Franklin reported that the Public Safety and Criminal Justice Committee heard Proposal No. 402, 1994 on July 13, 1994. The proposal, sponsored by Councillor Borst, is an appropriation to purchase necessary chemicals, supplies and reagents to provide urinalysis, drug and latent print services for the remainder of the year for the Forensic Services Agency from the County General Fund in the amount of \$60,000 financed by a transfer between characters in the County General Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Franklin moved, seconded by Councillor Schneider, for adoption. Proposal No. 402, 1994 was adopted on the following roll call vote; viz:

26 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West

0 NAYS:

1 NOT VOTING: Rhodes

2 NOT PRESENT: Dowden, Williams

August 8, 1994

Proposal No. 402, 1994 was retitled FISCAL ORDINANCE NO. 66, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 66, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Sixty Thousand Dollars (\$60,000) in the County General Fund for purposes of the Forensic Services Agency and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (z) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Forensic Services Agency to purchase necessary chemicals, supplies and reagents to provide urinalysis, drug and latent print services for the remainder of 1994.

SECTION 2. The sum of Sixty Thousand Dollars (\$60,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>FORENSIC SERVICES AGENCY</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	60,000
TOTAL INCREASE	60,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>FORENSIC SERVICES AGENCY</u>	<u>COUNTY GENERAL FUND</u>
4. Capital Outlay	60,000
TOTAL REDUCTION	60,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 403, 404, 405, 406, 407, 408, 409, 410, 411, 412 and 413, 1994. Councillor Gilmer asked for consent to vote on these eleven transportation together. Consent was given. PROPOSAL NO. 403, 1994. The proposal, sponsored by Councillor Gilmer, amends the Code by authorizing stop signs for the Willows subdivision (District 1). PROPOSAL NO. 404, 1994. The proposal, sponsored by Councillor Gilmer, amends the Code by authorizing intersection controls for the Country Brook subdivision (Districts 1, 9). PROPOSAL NO. 405, 1994. The proposal, sponsored by Councillor Gilmer, amends the Code by authorizing stop signs for the Lakeside Woods subdivision (District 1). PROPOSAL NO. 406, 1994. The proposal, sponsored by Councillor Gilmer, amends the Code by authorizing intersection controls for the Crooked Creek Villages West subdivision (District 1). PROPOSAL NO. 407, 1994. The proposal, sponsored by Councillor Gilmer, amends the Code by authorizing intersection controls for the Garden North subdivision (District 1). PROPOSAL NO. 408, 1994. The proposal, sponsored by Councillor Beadling, amends the Code by authorizing stop signs for the Feather Cove subdivision (District 5). PROPOSAL NO. 409, 1994. The proposal, sponsored by Councillor Beadling, amends the Code by authorizing stop signs for the Admirals Bay subdivision, Sections 6 and 7 (District 5). PROPOSAL NO. 410, 1994. The proposal, sponsored by Councillor Hinkle, amends the Code by authorizing stop signs for the Parc Estates subdivision (District 18). PROPOSAL NO. 411, 1994. The proposal, sponsored by Councillor Dowden, amends the Code by authorizing stop signs for the Bolandar Woods subdivision (District 4). PROPOSAL NO. 412, 1994. The proposal, sponsored by Councillor Dowden, amends the Code by authorizing



stop signs for the Lake Kessler Woods subdivision (District 4). PROPOSAL NO. 413, 1994. The proposal, sponsored by Councillor Dowden, amends the Code by authorizing stop signs for the Kessler Pointe subdivision (District 4).

Councillor Gilmer reported that the Capital Asset Management Committee heard these proposals on July 20, 1994. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Beadling, for adoption. Proposal Nos. 403, 404, 405, 406, 407, 408, 409, 410, 411, 412 and 413, 1994 were adopted on the following roll call vote; viz:

26 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Giffin, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West

0 NAYS:

1 NOT VOTING: Gilmer

2 NOT PRESENT: Dowden, Williams

Proposal No. 403, 1994 was retitled GENERAL ORDINANCE NO. 100, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 100, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
16, Pg. 1	Allport Dr, Falcon Grove Dr	Falcon Grove Dr	Stop
16, Pg. 5	Falcon Grove Dr, Hayford Ct	Falcon Grove Dr	Stop
16, Pg. 5	Falcon Grove Dr, Hayford Way	Falcon Grove Dr	Stop
16, Pg. 6	High School Rd, Willow Lane	High School Rd	Stop
16, Pg. 10	Sheehan Pl, Willow Lane	Sheehan Pl	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 404, 1994 was retitled GENERAL ORDINANCE NO. 101, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 101, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

August 8, 1994

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9, Pg. 2	Country Brook Ct, Country Brook Dr	Country Brook Dr	Stop
9, Pg. 2	Country Brook Dr, Country Brook Ln	Country Brook Dr	Yield
9, Pg. 2	Country Brook Dr, 62nd St	62nd St	Stop
9, Pg. 2	Country Brook Dr, Country Brook Ter	Country Brook Dr	Stop
9, Pg. 2	Country Brook Dr, Country Brook Way	Country Brook Dr	Stop
9, Pg. 2	Country Brook Dr, Georgetown Rd	Georgetown Rd	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 405, 1994 was retitled GENERAL ORDINANCE NO. 102, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 102, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
8, Pg. 1	Lake Woods Cir, Lake Woods Dr	Lake Wood Cir	Stop
8, Pg. 1	Lake Woods Cir, Marsh Rd	Marsh Rd	Stop
8, Pg. 1	Lake Woods Dr, 71st St	71st St	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 406, 1994 was retitled GENERAL ORDINANCE NO. 103, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 103, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.



BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
10, Pg. 4	Hollingsworth Dr, 71st St	71st St	Stop
10, Pg. 4	Hollingsworth Dr, Lindel Ln	Hollingsworth Dr	Stop
10, Pg. 4	Hollingsworth Dr, Starkey Ridge Ln	Hollingsworth Dr	Stop
10, P. 4	Hollingsworth Dr, Waterstone Dr	Hollingsworth Dr	Yield

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 407, 1994 was retitled GENERAL ORDINANCE NO. 104, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 104, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9, Pg. 1	Bur Oak Pl, Pin Oak Way	Pin Oak Way	Yield
9, Pg. 3	Laurel Oak Pl, Pin Oak Way	Pin Oak Way	Yield
9, Pg. 4	Pin Oak North Dr, Pin Oak Way	Pin Oak Way	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 408, 1994 was retitled GENERAL ORDINANCE NO. 105, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 105, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

August 8, 1994

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
6, Pg. 3	Hunters Cove Dr, Hunters Pl	Hunters Cove Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 409, 1994 was retitled GENERAL ORDINANCE NO. 106, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 106, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
51, Pg. 1	Anchor Bay Dr, Richlane Dr	Anchor Bay Dr	Stop
51, Pg. 1	Anchor Bay Dr, Bay Run Ct, Bay Run Dr	Anchor Bay Dr	Stop
51, Pg. 1	Anchor Way Ct, Anchor Way Dr, Old Stone Dr	Old Stone Dr	Stop
51, Pg. 1	Bay Pointe Ci, Old Stone Dr	Old Stone Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 410, 1994 was retitled GENERAL ORDINANCE NO. 107, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 107, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
22, Pg. 1	Ambassador Ct, Glendora Dr, Fullerton Dr	Ambassador Ct,	Stop
22, Pg. 4	Fullerton Dr, Thousand Oaks Dr	Fullerton Dr	Stop



22, Pg. 3	El Paso Dr, Glendora Dr	Glendora Dr	Stop
23, Pg. 3	El Paso Dr, Santa Ana Ln	El Paso Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 411, 1994 was retitled GENERAL ORDINANCE NO. 108, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 108, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
6, Pg. 4	Lantern Rd, William Penn Dr	Lantern Rd	Stop
6, Pg. 4	William Penn Ci, William Penn Dr	William Penn Dr	Stop
6, Pg. 4	William Penn Dr, William Penn Pl	William Penn Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 412, 1994 was retitled GENERAL ORDINANCE NO. 109, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 109, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
12, Pg. 1	Brokenhurst Rd, Fall Creek Pky NDR	Fall Creek Pky NDR	Stop
12, Pg. 1	Fall Creek Pky NDR, Kesslerwood Ct	Fall Creek Pky NDR	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

August 8, 1994

Proposal No. 413, 1994 was retitled GENERAL ORDINANCE NO. 110, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 110, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
12, Pg. 6	Kessler BI EDR, Winding Way	Kessler BI EDR	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection traffic controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
12, Pg. 6	Kessler BI EDR, Winding Way, Winding Way Ln	Kessler BI EDR	Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 414, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 414, 1994 on July 20, 1994. The proposal, sponsored by Councillor Jones, amends the Code by authorizing a multi-way stop at Kealing Avenue and 13th Street (District 10). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Jones, for adoption. Proposal No. 414, 1994 was adopted on the following roll call vote; viz:

27 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West

0 NAYS:

2 NOT PRESENT: Dowden, Williams

Proposal No. 414, 1994 was retitled GENERAL ORDINANCE NO. 111, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 111, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:



<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 13	Kealing Av, 13th St	13th St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 13	Kealing Av, 13th St	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

### ANNOUNCEMENTS AND ADJOURNMENT

Mr. Elrod made the following announcement:

Mr. President:

This Council will hold a public hearing on Rezoning Petition No. 94-Z-57 (94-DP-2), Council Proposal No. 464, 1994, at its next regular meeting on August 22, 1994, such meeting to convene at 7:00 p.m. in these Council Chambers in the City-County Building in Indianapolis. This petition proposes to rezone 49.897 acres at 4650 Millersville Road from SU-34 to D-P to provide for residential development in the floodway fringe.

Written objections that are filed with the Clerk of the Council shall be heard at such time, or the hearing may be continued from time to time as found necessary by the Council.

Councillor Boyd stated that he has been asked to offer the following motion for adjournment by Councillor Franklin.

Councillor Boyd stated that he has been asked to offer the following motion for adjournment by Councillor Franklin. Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Florida Mae Thomas. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the family advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:38 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 8th day of August 1994.

August 8, 1994

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

*Geurt Serwaas*

President

ATTEST:

*Sullen Hart*

Clerk of the Council

(SEAL)



608

**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, AUGUST 22, 1994**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:08 p.m. on Monday, August 22, 1994, with Councillor SerVaas presiding.

Councillor Black led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*28 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
*1 ABSENT: Hinkle*

A quorum of twenty-eight members being present, the President called the meeting to order.

**OFFICIAL COMMUNICATIONS**

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers,



*Journal of the City-County Council*

on Monday, August 22, 1994, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Beurt SerVaas  
President, City-County Council

August 9, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, August 11, 1994, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 365, 393, 398, 400 and 429, 1994, to be held on Monday, August 22, 1994, at 7:00 p.m., in the City-County Building.

Respectfully,  
s/Suellen Hart  
Clerk of the City-County Council

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances and resolutions:

GENERAL ORDINANCE NO. 95 - recodifying and amending the Code, Division 1, Article IV, Chapter 8, Buildings and Construction

GENERAL ORDINANCE NO. 96 - amending the Code by authorizing a change in speed limits for segments of Raymond Street and Airport Expressway (Districts 17, 19, 21)

GENERAL ORDINANCE NO. 97 - amending the Code by authorizing a change in the speed limit on Post Road from I-74 to Northeastern Avenue (Districts 13, 23)

GENERAL ORDINANCE NO. 98 - amending the Code by authorizing a multi-way stop at Broadway Street and 24th Street and at Carrollton Avenue and 24th Street (District 22)

GENERAL ORDINANCE NO. 99 - amending the Revised Code to provide service of citations by first-class mail

GENERAL ORDINANCE NO. 100 - amending the Code by authorizing stop signs for the Willows subdivision (District 1)

GENERAL ORDINANCE NO. 101 - amending the Code by authorizing intersection controls for the Country Brook subdivision (Districts 1, 9)

GENERAL ORDINANCE NO. 102 - amending the Code by authorizing stop signs for the Lakeside Woods subdivision (District 1)

GENERAL ORDINANCE NO. 103 - amending the Code by authorizing intersection controls for the Crooked Creek Villages West subdivision (District 1)

GENERAL ORDINANCE NO. 104 - amending the Code by authorizing intersection controls for the Garden North subdivision (District 1)

GENERAL ORDINANCE NO. 105 - amending the Code by authorizing stop signs for the Feather Cove subdivision (District 5)

GENERAL ORDINANCE NO. 106 - amending the Code by authorizing stop signs for the Admirals Bay subdivision, Sections 6 and 7 (District 5)

August 22, 1994

GENERAL ORDINANCE NO. 107 - amending the Code by authorizing stop signs for the Parc Estates subdivision (District 18)

GENERAL ORDINANCE NO. 108 - amending the Code by authorizing stop signs for the Bolandar Woods subdivision (District 4)

GENERAL ORDINANCE NO. 109 - amending the Code by authorizing stop signs for the Lake Kessler Woods subdivision (District 4)

GENERAL ORDINANCE NO. 110 - amending the Code by authorizing stop signs for the Kessler Pointe subdivision (District 4)

GENERAL ORDINANCE NO. 111 - amending the Code by authorizing a multi-way stop at the Kealing Avenue and 13th Street (District 10)

FISCAL ORDINANCE NO. 64 - an appropriation to purchase a computer for the Department of Public Safety, Weights and Measures Division, from the Consolidated County Fund in the amount of \$3,100 financed by a transfer between characters in the Consolidated County Fund

FISCAL ORDINANCE NO. 65 - an appropriation to fund a certified substance abuse program in the Community Corrections Jail Component for Community Corrections from the Home Detention User Fee Fund in the amount of \$11,400 financed by unspent 1993-94 Home Detention User Fees

FISCAL ORDINANCE NO. 66 - an appropriation to purchase necessary chemicals, supplies and reagents to provide urinalysis, drug and latent print services for the remainder of the year for the Forensic Services Agency from the County General Fund in the amount of \$60,000 financed by a transfer between characters in the County General Fund

GENERAL RESOLUTION NO. 1 - authorizing Marion County to provide worker's compensation by participation in the Indiana Public Employees' Plan, Inc.

SPECIAL RESOLUTION NO. 58 - recognizing the Brokenburr Trails summer youth team

SPECIAL RESOLUTION NO. 59 - approving the lease of Department of Parks and Recreation property commonly referred to as the Post Road Community Center

SPECIAL RESOLUTION NO. 60 - authorizing and requesting the Indianapolis-Marion County Building Authority to proceed with a study for securing portions of the City-County Building used by courts

Respectfully,  
s/Stephen Goldsmith, Mayor

### **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

### **APPROVAL OF JOURNALS**

President SerVaas called for additions or corrections to the Journal of August 8, 1994. There being no additions or corrections, the minutes were approved as distributed.

### **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 502, 1994. This proposal, sponsored by Councillor Dowden, recognizes the Skiles Test All-Stars baseball team. Councillor Dowden read the resolution and presented copies of the document to Dan Hays, manager; Bill Hall, Darrell Pike and Mike Whisler, coaches; and to Ryan Conner, Darryl Eberhardt, Rodney Gray, Chris Hall, Greg Harris, Jeremy Hayden, Derek Hays, Will Miles, Jimmy Pike, Chris Trump, John von Arx, Wes Whisler and John Wise, members of Skiles Test All-Stars. Team members Jimmy Pike and



Will Miles expressed appreciation for the recognition. Councillor Dowden moved, seconded by Councillor McClamroch, for adoption. Proposal No. 502, 1994 was adopted by unanimous voice vote.

Proposal No. 502, 1994 was retitled SPECIAL RESOLUTION NO. 61, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 61, 1994

A SPECIAL RESOLUTION recognizing the Skiles Test All-Stars baseball team.

WHEREAS, the 1994 Skiles Test Major League All-Stars was one of only two baseball teams from the State of Indiana that qualified to enter the Amateur Athletic Union (AAU) National Championship Baseball Tournament in Burnsville, Minnesota; and

WHEREAS, the Skiles Test All-Stars proved their athletic abilities and team spirit by defeating the competition to qualify for the hard-earned privilege of representing Indiana for the third consecutive year; and

WHEREAS, the Skiles Test All-Stars, a local neighborhood team, competed against teams from throughout the nation that selectively recruited their talent from unlimited geographic boundaries; and

WHEREAS, in spite of such odds, the Skiles Test All-Stars completed tournament play by finishing an unprecedented Fifth Place in the United States; and

WHEREAS, on the occasion of the Skiles Test All-Star's return home, it is fitting to honor these young winners for their commitment to hard work, camaraderie, discipline and dedication to the sport of baseball; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the Skiles Test All-Star team members, their parents and all others who helped the All-Stars place Fifth in the nation at the 1994 AAU national baseball tournament.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 395, 1994. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 395, 1994 on August 1, 1994. The proposal, sponsored by Councillor McClamroch, appoints Lance L. Bundles to the Metropolitan Development Commission. This appointment fills the position left vacant by Michael Rodman. Mr. Bundles is an independent, has a good work record, and also a good community record. By a 4-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor McClamroch, for adoption.

Councillor Boyd said that he and Councillor Williams voted against this proposal in Committee. He said he introduced Proposal No. 432, 1994 which nominates Aaron E. Haith to the Metropolitan Development Commission ("Commission"). There are now two nominations for one position. On August 16, 1994 by a 4-3 vote the Committee voted to table the Haith proposal. The Democrat Caucus is sponsoring Proposal No. 432, 1994 because it feels a certain right to fill that position since it was left vacant by a Democrat. The Democrat Caucus believes the Haith proposal to be very important with many implications. Councillor Boyd introduced Mr. Haith at this time. Mr. Boyd said that Mr. Haith (1) has been active in

August 22, 1994

community, civic and political affairs for many years; (2) comes with impeccable credentials; (3) is a Democrat; and (4) would be a valuable addition to the Commission.

Councillor Black asked if the vacancy is required to be filled by a Democrat. The President answered that it is a non-Republican appointment. Councillor McClamroch read the statute which provides that the Council appoints three of the nine citizen members and not more than two members of the members appointed by the Council may be of the same political party.

Councillor Gray said that it seems that whenever there is a Democrat appointment to be made, an independent is nominated. When the Majority Leader first took office he brought with him a feeling of good faith, and told the Democrats that these kind of things were not going to happen under his leadership.

Councillor Williams stated that the Commission lost a flavor that transcends politics when Mike Rodman resigned. He was rooted in hands-on neighborhood work. So when neighborhoods came before the Commission at least they had someone who understood their concerns. Mr. Bundles is from the business community who has no roots in any kind of neighborhood work and therefore deprives the community of that flavor and that balance--that balance which is probably more important than political balance. She also stated that she is very disappointed in the way this vacancy was handled.

Councillor McClamroch stated that (1) there is no question that Aaron Haith is a person of impeccable credentials, and (2) there have been numerous democrats nominated by Councillor West and himself over the years. Councillor McClamroch said that Mr. Bundles is from Center Township, understands the issues in Center Township, and has said that he looks forward to working with the neighborhoods.

Councillor Jimison said she believes that if there is an board appointment to be made, and it is not to be a Republican appointment, then the wishes of the Democrat Caucus should be considered and it should certainly be consulted as to whether or not the Democrats have a choice.

Proposal No. 395, 1994 was adopted on the following roll call vote; viz:

*17 YEAS: Beadling, Borst, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, McClamroch, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith, West*

*11 NAYS: Black, Boyd, Brents, Golc, Gray, Jimison, Jones, Moriarty Adams, Mullin, Short, Williams*

*1 NOT PRESENT: Hinkle*

Proposal No. 395, 1994 was retitled COUNCIL RESOLUTION NO. 77, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 77, 1994

A COUNCIL RESOLUTION appointing Lance L. Bundles to the Metropolitan Development Commission.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Development Commission, the Council appoints:



Lance L. Bundles

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

## **INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 477, 1994 was withdrawn.

PROPOSAL NO. 478, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to pay for future contracts and consultant fees for competitive bid projects for the Department of Administration, Indianapolis Fleet Services Division, from the Consolidated County Fund in the amount of \$120,000 financed by a transfer within the division's budget"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 479, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to cover short-term IPD and IFD needs and to help cover the unfunded future liabilities of IPD and IFD Pensions and United Airline debt for the Office of the Controller from the Sanitation PILOT Reserve Fund in the amount of \$4,400,000 financed by revenues from that fund"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 480, 1994. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to purchase additional office supplies and computer equipment for the Superior Court, Criminal Division, Room Three, from the County General Fund in the amount of \$4,632 financed by revenues from that fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 481, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to pay for expenses incurred for a Special Commissioner during the transition period created when Judge James Kirsch left and Judge David Rimstidt was appointed for the Superior Court, Civil Division, Room Five, from the County General Fund in the amount of \$2,200 financed by a transfer within the court's budget"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 482, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to cover miscellaneous and copier expenses for the Superior Court, Title IV-D Court, from the County General Fund in the amount of \$1,000 financed by a transfer within the court's budget"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 483, 1994. Introduced by Councillors Coughenour and Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to fund the competitive bid process for the Department of Public Works (DPW), Maintenance Operations Division, from the Sanitation General Fund, Flood Control General Fund, Transportation General Fund and the Maintenance Operations General Fund in the

amount of \$4,105,087 financed by transfers from the Sanitation General Fund, the Flood Control General Fund, and the Transportation General Fund within the Department of Capital Asset Management, Asset Management Division, and by contract revenues from DPW, Maintenance Operations Division's, Maintenance Operations General Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

Councillor Coughenour read the following motion:

Mr. President:

I move to suspend the requirements of Sec. 151-76 of the Council Rules as to Proposal No. 483, 1994, and authorize the Clerk to advertise the same for public hearing before this Council at its meeting on September 12, 1994.

Councillor McClamroch seconded the motion, and it passed by a unanimous voice vote.

PROPOSAL NO. 484, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Revised Code concerning the divisions within the Department of Public Works"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 485, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code to permit Indianapolis to operate an air program in compliance with Title V of the Clean Air Act"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 486, 1994. Introduced by Councillors Ruhmkorff and O'Dell. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for Cumberland Estates Subdivision, Phases 2 and 3, Sections 1 and 2 (Districts 12, 13)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 487, 1994. Introduced by Councillor Ruhmkorff. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for Park Valley subdivision (District 12)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 488, 1994. Introduced by Councillor Gray, Jr. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for Morningside subdivision (District 9)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 489, 1994. Introduced by Councillor Gray, Jr. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for Oakforge Woods subdivision (District 9)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 490, 1994. Introduced by Councillor Gray, Jr. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing stop signs at Arabian Run and Pinto Way, and at Dapple Trace and Sommerworth Lane (District 9)"; and the President referred it to the Capital Asset Management Committee.



PROPOSAL NO. 491, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a traffic signal at Madison Avenue and Preddy Drive (District 24)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 492, 1994. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing parking restrictions on 30th Street in the vicinity of Elmira Street (District 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 493, 1994. Introduced by Councillor Boyd. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by reducing the speed limit on 46th Street between Ritter Avenue and Shadeland Avenue (Districts 11, 14)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 494, 1994. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a weight limit restriction on Thompson Road from Sandhurst Drive to Warman Avenue (District 25)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 495, 1994. Introduced by Councillor Gray, Jr. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a one-way traffic flow northbound on Melbourne Street from 56th Street to 58th Street (District 9)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 496, 1994. Introduced by Councillor Short. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a one-way traffic flow eastbound for Legrande Avenue from Perkins Avenue to Hobart Street (District 21)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 497, 1994. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION reviewing, modifying and approving the operating and maintenance budget and tax levies of the Indianapolis Airport Authority District;" and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 498, 1994. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION reviewing, modifying and approving the operating and maintenance budget and tax levies of the Capital Improvement Board of Managers of Marion County;" and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 499, 1994. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION reviewing, modifying and approving the operating and maintenance budget and tax levies of the Health and Hospital Corporation of Marion County;" and the President referred it to the Municipal Corporations Committee.

August 22, 1994

PROPOSAL NO. 500, 1994. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION reviewing, modifying and approving the operating and maintenance budget and tax levies of the Indianapolis-Marion County Public Library Board;" and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 501, 1994. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION reviewing, modifying and approving the operating and maintenance budget and tax levies of the Indianapolis Public Transportation Corporation;" and the President referred it to the Municipal Corporations Committee.

### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 476, 1994. Councillor Borst reported that the Economic Development Committee heard Proposal No. 476, 1994 on August 10, 1994. The proposal amends S.R. No. 45, 1993, as amended, by extending the expiration date for Brulin & Company, Inc. through March 31, 1995 (2920 Dr. Andrew J. Brown Avenue, District 22). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Jones, for adoption. Proposal No. 476, 1994 was adopted on the following roll call vote; viz:

*26 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

*0 NAYS:*

*2 NOT VOTING: Black, Golc*

*1 NOT PRESENT: Hinkle*

Proposal No. 476, 1994 was retitled SPECIAL RESOLUTION NO. 62, 1994 and reads as follows:

#### **CITY-COUNTY SPECIAL RESOLUTION NO. 62, 1994**

A SPECIAL RESOLUTION amending City-County Special Resolution No. 45, 1993, as amended, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 45, 1993, as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by Brulin & Company, Inc. (the "Company") which Inducement Resolution set an expiration date of August 31, 1994 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:



BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The City-County Council finds, determined, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of August 31, 1994, contained therein and replacing said date with the date of March 31, 1995.

SECTION 2. The City-County Council further finds, determined, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 503-508, 1994. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on August 18, 1994." The Council did not schedule Proposal Nos. 503-508, 1994 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 503-508, 1994 were retitled REZONING ORDINANCE NOS. 103-108, 1994 and are identified as follows:

REZONING ORDINANCE NO. 103, 1994. 94-Z-90B DECATUR TOWNSHIP.  
COUNCILMANIC DISTRICT # 19.

5151 WEST TROY AVENUE (approximate address), INDIANAPOLIS.

DANTROS DEVELOPMENT, INC., by Joseph M. Scimia, requests the rezoning of 30.395 acres, being in the D-A District, to the D-5II classification to provide for single-family residential development.

REZONING ORDINANCE NO. 104, 1994. 94-Z-106 LAWRENCE TOWNSHIP.  
COUNCILMANIC DISTRICT # 5.

9879 EAST FALL CREEK ROAD (approximate address), CITY OF LAWRENCE.

MARINA LIMITED PARTNERSHIP, by Thomas Michael Quinn, requests the rezoning of 4.5 acres, being in the C-1(FF) and C-3(FF) Districts, to the C-3(FF) classification to provide for a commercial development.

REZONING ORDINANCE NO. 105, 1994. 94-Z-111 WARREN TOWNSHIP.  
COUNCILMANIC DISTRICT # 10.

6909 EAST 38TH STREET (approximate address), INDIANAPOLIS.

RUSSELL J. GIGANTI and PEOPLE'S BANK AND TRUST COMPANY, by Steven C. Robinson, request the rezoning of 1.39 acres, being in the D-3 District, to the C-5 classification to provide for additional parking for an existing bank facility.

REZONING ORDINANCE NO. 106, 1994. 94-Z-112 WARREN TOWNSHIP.  
COUNCILMANIC DISTRICT # 13.

6501 EAST WASHINGTON STREET (approximate address), INDIANAPOLIS.

TACO BELL CORPORATION, by Michael J. Kias, requests the rezoning of 1.295 acres, being in the D-5 District, to the C-3 classification to provide for commercial development.

REZONING ORDINANCE NO. 107, 1994. 94-Z-116 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 21.

1119 EAST GEORGIA STREET (approximate address), INDIANAPOLIS.

DEPARTMENT OF METROPOLITAN DEVELOPMENT requests the rezoning of 2.58 acres, being in the SU-9 District, to the I-3-U classification to provide for an armored truck service operation.

REZONING ORDINANCE NO. 108, 1994. 94-Z-117 WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 18.

2819 TANSEL ROAD (approximate address), INDIANAPOLIS.

GREENLEAF DEVELOPMENT, INC. requests the rezoning of 1.2011 acres, being in the D-A District, to the D-4 classification to provide for single-family development to be added to Sunningdale Commons, Section Four subdivision.

PROPOSAL NOS. 509-514, 1994. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development

August 22, 1994

Commission on August 18, 1994." The Council did not schedule Proposal Nos. 509-514, 1994 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 509-514, 1994 were retitled REZONING ORDINANCE NOS. 109-114, 1994 and are identified as follows:

REZONING ORDINANCE NO. 109, 1994. 94-Z-46 DECATUR TOWNSHIP.  
COUNCILMANIC DISTRICT # 19.

7009 WEST THOMPSON ROAD (approximate address), INDIANAPOLIS.

LARRY G. and SANDRA BROWNING, by Michael J. Kias, request the rezoning of 6.0 acres, being in the D-A District, to the D-3 classification to provide for single-family residential development by platting.

REZONING ORDINANCE NO. 110, 1994. 94-Z-99 PIKE TOWNSHIP.  
COUNCILMANIC DISTRICT # 1.

5755 LAFAYETTE (approximate address), INDIANAPOLIS.

ROTTLUND HOMES, by Thomas Michael Quinn, requests the rezoning of 12.09 acres, being in the C-1 District, to the D-6II classification to provide for a condominium development.

REZONING ORDINANCE NO. 111, 1994. 94-Z-123 WASHINGTON TOWNSHIP.  
COUNCILMANIC DISTRICT # 6.

4172 NORTH BROADWAY STREET (approximate address), INDIANAPOLIS.

INDIANAPOLIS-MARION COUNTY PUBLIC LIBRARY, by Walter W. Wolf, Jr., requests the rezoning of 0.133 acre, being in the D-5 District, to the SU-38 classification to provide parking for an existing library and to provide for future expansion of the library facility.

REZONING ORDINANCE NO. 112, 1994. 94-Z-128 PERRY TOWNSHIP.  
COUNCILMANIC DISTRICT # 20.

3715 SOUTH EAST STREET (approximate address), INDIANAPOLIS.

CRAIG R. NORMAN, by Thomas Michael Quinn, requests the rezoning of 2.288 acres, being in the D-A District, to the C-3 classification to provide for construction of a fast food restaurant.

REZONING ORDINANCE NO. 113, 1994. 94-Z-129 WASHINGTON TOWNSHIP.  
COUNCILMANIC DISTRICT # 3.

8602 NORTH COLLEGE AVENUE (approximate address), INDIANAPOLIS.

FIRST BAPTIST CHURCH OF INDIANAPOLIS requests the rezoning of 28.53 acres, being in the SU-1(FF) and D-2(FF) Districts, to the SU-1(FF) classification to provide for church use.

REZONING ORDINANCE NO. 114, 1994. 94-Z-138 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 16.

610-650 NORTH SENATE AVENUE (approximate address), INDIANAPOLIS.

DEPARTMENT OF METROPOLITAN DEVELOPMENT requests the rezoning of 3.84 acres, being in the I-3-U(RC) and C-7(RC) Districts, to the CBD-2(RC) classification to provide for attached and detached residential development.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 464, 1994. The proposal approves Petition No. 94-Z-57 (94-DP-2) to rezone 49.897 acres at 4650 Millersville Road from SU-34 District to the D-P classification to provide for residential development in the floodway fringe (District 11). Proposal No. 464, 1994 was certified by the Metropolitan Development Commission on August 4, 1994. On August 8, 1994 the Council voted to schedule a public hearing for August 22, 1994.

Councillor Boyd said that he is pleased to report that the parties involved in the rezoning at 4650 Millersville Road have reached a compromise and it will not be necessary to have a hearing on this matter. The issues involved matters of density and spacing. There has been an agreement concerning the density, and the petitioner has agreed to limit the number of homes on the property to 38. Thirty-three will be on the front side of the property and five will be on the back of the property. In a separate agreement it was agreed that there will be no "undesirable commercial development" at the corner of 46th and Millersville Road.



Councillor Boyd moved that Proposal No. 464, 1994 (Rezoning Petition No. 94-Z-57, 94-DP-2) be adopted incorporating therein the revised development plan dated August 22, 1994. Councillor McClamroch seconded the motion.

Councillor West asked if the separate agreement will be recorded. Councillor Boyd answered in the affirmative.

Proposal No. 464, 1994 was adopted on the following roll call vote; viz:

*27 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, Shambaugh, Short, Smith, West, Williams*

*0 NAYS:*

*1 NOT VOTING: SerVaas*

*1 NOT PRESENT: Hinkle*

Councillor Rhodes asked for consent to explain his vote. Consent was given. He said that he is voting for this petition because he feels Charles Davis is an excellent developer. He used to represent this area that is now represented by Councillor Boyd. If he were to vote against this petition tonight it would not be because of Mr. Davis; it would be because of the development staff. He read the following chronology of what happened in this particular case:

- (1) January 23, 1994 - Petition was filed.
- (2) March 1, 1994 - An amendment was filed.
- (3) March 29, 1994 - The neighborhood was notified of a staff meeting to be held on April 15, 1994 to discuss the proposed development--in other words, an initial meeting. Unfortunately, the neighborhood was notified the week of April 4 that a meeting had already taken place between the staff and the developer, and the neighborhood had mistakenly not been invited. A start-over meeting would be held on April 15.
- (4) April 6, 1994 - Another amendment to the plan was filed.
- (5) April 15, 1994 - Start-over meeting was held. The principle planner in charge read a description of the project and announced that it was approved and asked if the neighborhood had any questions. In other words, it was a "done deal" as far as the staff was concerned.

Councillor Rhodes said that the neighborhood contacted the staff regarding the Washington Township Comprehensive Plan, which was adopted December 1993, and received very few responses. As the Council knows, this is not the first time this has happened. The administration had told Councillor Rhodes that this would not happen again, especially in a case where there was going to be some type of neighborhood involvement. This case was turned down by the Commission over a year ago. This property has always been controversial. Mr. Rhodes said that unfortunately a large constituent of voters and taxpayers now have a low opinion of the City administration, its staff and the "so-called" public process. He said that too often a neighborhood is brought in after the decisions are made by the staff. When a neighborhood association cannot get a staff report until after the Commission hearing he believes there is something wrong.

Councillor Gilmer congratulated the petitioners and the remonstrators and introduced Charles Davis, petitioner, Jack Muench, remonstrator, and Michael Quinn, attorney for the petitioner.

Proposal No. 464, 1994 was retitled as REZONING ORDINANCE NO. 115, 1994 and is identified as follows:

REZONING ORDINANCE NO. 115, 1994. 94-Z-57 (94-DP-2) WASHINGTON TOWNSHIP.

COUNCILMANIC DISTRICT # 11.

4650 MILLERSVILLE ROAD (approximate address), INDIANAPOLIS.

DAVIS DEVELOPMENT, L.P., by Thomas Michael Quinn, requests the rezoning of 49.897 acres, being in the SU-34 District, to the D-P classification to provide for residential development in the floodway fringe.

PROPOSAL NO. 26, 1994. The proposal, sponsored by Councillor Franklin, appropriates \$8,413 for the Superior Court, Criminal Division, Room Five, to fund an additional clerk's position. Councillor Dowden asked for consent to postpone Proposal No. 26, 1994 until September 12, 1994. Consent was given.

PROPOSAL NOS. 243, 245 and 362, 1994. PROPOSAL NO. 243, 1994. The proposal appropriates \$645,000 for the Sheriff to cover food expense for the jail inmates through the end of the year and to pay for inmate housing at the Riverside Community Corrections facility. PROPOSAL NO. 245, 1994. The proposal appropriates \$58,971 for Community Corrections to provide additional security to supervise an increased number of inmates being housed in the Community Corrections Center. PROPOSAL NO. 362, 1994. The proposal is an appropriation to hire a deputy prosecutor to prosecute drunk driving cases and develop a new sentencing program for the Prosecuting Attorney from the County Drug Free Community Fund in the amount of \$36,750 financed by Drug Free Community Fees. Councillor Dowden asked for consent to postpone Proposal Nos. 243, 245 and 362, 1994 until September 28, 1994. Consent was given.

PROPOSAL NO. 365, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 365, 1994 on July 27, 1994. The proposal is an appropriation to allocate accumulated fees from the Moving Traffic Deferral Program for the County Auditor, Prosecuting Attorney, County Sheriff and the Presiding Judge of the Municipal Court from the Deferral Program Fee Fund in the amount of \$188,921 financed by revenues from Uniform Traffic Tickets. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:05 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 365, 1994 was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Black, Borst, Boyd, Brents, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, McClamroch, Moriarty Adams, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

3 NOT VOTING: *Coughenour, Jones, Mullin*

1 NOT PRESENT: *Hinkle*

Proposal No. 365, 1994 was retitled FISCAL ORDINANCE NO. 67, 1994 and reads as follows:



CITY-COUNTY FISCAL ORDINANCE NO. 67, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional One Hundred Eighty-eight Thousand Nine Hundred Twenty-one Dollars (\$188,921) in the Deferral Program Fee Fund for purposes of the County Auditor, Prosecuting Attorney, County Sheriff and the Presiding Judge of the Municipal Court and reducing the unappropriated and unencumbered balance in the Deferral Program Fee Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b), (x), (aa) and (dd) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor, Prosecuting Attorney, County Sheriff and the Presiding Judge of the Municipal Court to receive their share of the accumulated fees from the Moving Traffic Deferral Program in accordance with the various Interlocal Agreements covering the program.

SECTION 2. The sum of One Hundred Eighty-eight Thousand Nine Hundred Twenty-one Dollars (\$188,921) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>DEFERRAL PROGRAM FEE FUND</u>
3. Other Services and Charges	75,676
<u>COUNTY SHERIFF</u>	
3. Other Services and Charges	27,850
<u>COUNTY AUDITOR</u>	
3. Other Services and Charges	37,852
<u>PRESIDING JUDGE OF THE MUNICIPAL COURT</u>	
3. Other Services and Charges	47,543
TOTAL INCREASE	188,921

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>DEFERRAL PROGRAM FEE FUND</u>
Unappropriated and Unencumbered	
Deferral Program Fee Fund	188,921
TOTAL REDUCTION	188,921

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 393, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 393, 1994 on July 28, 1994. The proposal, sponsored by Councillors Rhodes and Coughenour, is an appropriation to pay for data entry overtime and an extension of RW Armstrong's contract to cleanup and update the Geographic Information System (GIS) files for the Perry Township Assessor from the Property Reassessment Fund in the amount of \$21,515 financed by unappropriated property tax revenues of the Property Reassessment Fund. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:07 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor Coughenour, for adoption. Proposal No. 393, 1994 was adopted on the following roll call vote; viz:

August 22, 1994

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Moriarty Adams*

1 NOT PRESENT: *Hinkle*

Proposal No. 393, 1994 was retitled FISCAL ORDINANCE NO. 68, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 68, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Twenty-one Thousand Five Hundred Fifteen Dollars (\$21,515) in the Property Reassessment Fund for purposes of the Perry Township Assessor and reducing the unappropriated and unencumbered balance in the Property Reassessment Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b) and (r) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Perry Township Assessor to pay data entry overtime and extend the contract with RW Armstrong for cleanup and update of GIS files.

SECTION 2. The sum of Twenty-one Thousand Five Hundred Fifteen Dollars (\$21,515) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>PERRY TOWNSHIP ASSESSOR</u>	<u>PROPERTY REASSESSMENT FUND</u>
1. Personal Services	10,000
3. Other Services and Charges	10,000
 <u>COUNTY AUDITOR</u>	
1. Personal Services (fringes)	<u>1,515</u>
TOTAL INCREASE	21,515

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>PROPERTY REASSESSMENT FUND</u>
Unappropriated and Unencumbered	
Property Reassessment Fund	<u>21,515</u>
TOTAL REDUCTION	21,515

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 398, 1994. Councillor Giffin reported that the Parks and Recreation Committee heard Proposal No. 398, 1994 on July 21, 1994. The proposal is an appropriation to transfer funds to the City of Beech Grove to develop park and recreation facilities by the Department of Parks and Recreation from the Park Land Fund in the amount of \$350,000 financed by revenues from previous sales of Department of Parks and Recreation land. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.



The President called for public testimony at 8:15 p.m. There being no one present to testify, Councillor Giffin moved, seconded by Councillor O'Dell, for adoption. Proposal No. 398, 1994, as amended, was adopted on the following roll call vote; viz:

27 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

1 NOT VOTING: Moriarty Adams

1 NOT PRESENT: Hinkle

Proposal No. 398, 1994, as amended, was retitled FISCAL ORDINANCE NO. 69, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 69, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Three Hundred Fifty Thousand Dollars (\$350,000) in the Park Land Fund for purposes of the Department of Parks and Recreation and reducing the unappropriated and unencumbered balance in the Park Land Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01.(n) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to fund the acquisition of land by Beech Grove for the development of park and recreation facilities.

SECTION 2. The sum of Three Hundred Fifty Thousand Dollars (\$350,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>PARK LAND FUND</u>
3. Other Services and Charges	<u>350,000</u>
TOTAL INCREASE	350,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>PARK LAND FUND</u>
Unappropriated and Unencumbered	
Park Land Fund	<u>350,000</u>
TOTAL REDUCTION	350,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 400, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 400, 1994 on July 13, 1994. The proposal is an appropriation to continue various programs for the diversion of misdemeanor populations from their penal facilities for the County Auditor, County Sheriff, Community Corrections, and the Marion County Justice Agency from the County Corrections Fund in the amount of \$294,000 financed by revenues from a state grant. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

August 22, 1994

The President called for public testimony at 8:17 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Franklin, for adoption. Proposal No. 400, 1994 was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith*

0 NAYS:

3 NOT VOTING: *Moriarty Adams, West, Williams*

1 NOT PRESENT: *Hinkle*

Proposal No. 400, 1994 was retitled FISCAL ORDINANCE NO. 70, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 70, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Two Hundred Ninety-four Thousand Dollars (\$294,000) in the County Corrections Fund for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the County Corrections Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02. (b), (aa), (bb), and (ee) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor, County Sheriff, Community Corrections and Marion County Justice Agency to continue providing various programs for the diversion of misdemeanor populations from their penal facilities.

SECTION 2. The sum of Two Hundred Ninety-four Thousand Dollars (\$294,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>COUNTY CORRECTIONS FUND</u>
1. Personal Services (fringes)	4,000
<u>COUNTY SHERIFF</u>	
3. Other Services and Charges	179,319
<u>COMMUNITY CORRECTIONS</u>	
.3. Other Services and Charges	94,681
<u>MARION COUNTY JUSTICE AGENCY</u>	
1. Personal Services	16,000
TOTAL INCREASE	294,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>COUNTY CORRECTIONS FUND</u>
Unappropriated and Unencumbered	
County Corrections Fund	294,000
TOTAL REDUCTION	294,000

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.



SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 429, 1994. Councillor O'Dell reported that the Community Affairs Committee heard Proposal No. 429, 1994 on August 10, 1994. The proposal is an appropriation to pay the expenses of wards in institutions for the Marion County Office of Family and Children from the Welfare General Fund in the amount of \$4,278,082 financed by revenues from federal reimbursements under Title IV-A and IV-E received in excess of the original amount budgeted. Councillor O'Dell stated that Michael Mielke, a consultant in the Mayor's Office, has been instrumental in these federal grants being awarded to the County. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:21 p.m. There being no one present to testify, Councillor O'Dell moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 429, 1994 was adopted on the following roll call vote; viz:

28 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

1 NOT PRESENT: Hinkle

Proposal No. 429, 1994 was retitled FISCAL ORDINANCE NO. 71, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 71, 1994

A FISCAL ORDINANCE amending the Marion County Office of Family and Children Annual Budget for 1994 (City-County Fiscal Ordinance No. 71, 1993) appropriating an additional Four Million Two Hundred Seventh-eight Thousand Eighty-two Dollars (\$4,278,082) in the Welfare General Fund for purposes of the Marion County Office of Family & Children and reducing the unappropriated and unencumbered balance in the Welfare General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the Marion County Office of Family and Children Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Marion County Office of Family and Children to pay the expenses of wards in institutions.

SECTION 2. The sum of Four Million Two Hundred Seventh-eight Thousand Eighty-two Dollars (\$4,278,082) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY OFFICE OF FAMILY AND CHILDREN</u>	<u>WELFARE GENERAL FUND</u>
3. Other Services and Charges	4,278,082
TOTAL INCREASE	4,278,082

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>WELFARE GENERAL FUND</u>
Unappropriated and Unencumbered	
Welfare General Fund	4,278,082
TOTAL REDUCTION	4,278,082

August 22, 1994

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

### SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 369, 1994. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 369, 1994 on August 9, 1994. The proposal elects to fund the operation of MECA in part with revenue of two million dollars from the County Option Income Tax. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Curry moved, seconded by Councillor Short, for adoption. Proposal No. 369, 1994 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
2 NAYS: *Gilmer, Mullin*  
1 NOT PRESENT: *Hinkle*

Proposal No. 369, 1994 was retitled SPECIAL ORDINANCE NO. 10, 1994 and reads as follows:

#### CITY-COUNTY SPECIAL ORDINANCE NO. 10, 1994

A SPECIAL ORDINANCE election to fund MECA in 1995 with County Option Income Tax Revenues.

WHEREAS, IC 36-8-15-19(b) provides that the City-County Council may elect to fund the operation of a public safety communications system and computer facilities special taxing district from part of the certified distribution the county is to receive during a particular calendar year under IC 6-3.5-6-17; and

WHEREAS, the Marion County Metropolitan Emergency Communications Agency ("MECA") is the governing body of the Consolidated City of Indianapolis and Marion County public safety communications system and computer facilities district ("District"); and

WHEREAS, to make such an election for 1995, the City-County Council, prior to September 1, 1994, must pass an ordinance specifying the amount of the certified distribution to be used to fund the District; now, therefore:

#### BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council hereby elects to fund the operation of the District through MECA in 1995 from part of the certified distribution the county is to receive under IC 6-3.5-6-17.

SECTION 2. The amount of the certified distribution to be used for this purpose is \$2,000,000.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 427, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 427, 1994 on August 15, 1994. The proposal establishes the "Information Services Internal Services Fund." By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Coughenour, for adoption.

Councillor Williams asked if this fund was established because the Information Services Agency (ISA) might be privatized. Councillor Rhodes responded that this fund was established to correct ISA's chargeback problems. Michael Hineline, Acting Director, ISA, stated that ISA has been working on the chargeback system for two years.



Proposal No. 427, 1994 was adopted on the following roll call vote; viz:

26 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West

1 NAY: Gray

1 NOT VOTING: Williams

1 NOT PRESENT: Hinkle

Proposal No. 427, 1994 was retitled GENERAL ORDINANCE NO. 112, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 112, 1994

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County by amending Article II of Chapter 135.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Article II, Chapter 135 of the Revised Code of Indianapolis and Marion County is hereby amended by inserting the words underlined as follows:

ARTICLE II. NONREVERTING COUNTY FUNDS

Sec. 135-61. Information Services Internal Service Fund.

(a) There is hereby created a special, nonreverting fund for the county information services agency, to be designated as the "information services internal service fund." The auditor shall deposit in such fund all moneys received by or credited to the information services agency in the performance of its functions and duties, as provided in sections 281-201 through 281-234 of this Revised Code, and other revenues duly allocated during each year, as approved by the city-county council, and as provided by law.

(b) This fund shall be a continuing, nonreverting fund, with all balances remaining therein at the end of the year, and such balances shall not revert to the county general fund or be diverted directly or indirectly in any manner other than that set forth in subsection (c).

(c) Moneys in the information services internal service fund may be used for expenses incurred in carrying out the functions and duties of the information services board and information services agency as provided in sections 281-201 through 281-234 of this Revised Code.

(d) Amounts shall be paid from this fund only pursuant to appropriations authorized by the city-county council.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 433, 1994. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 433, 1994 on August 16, 1994. The proposal, sponsored by Councillor Gilmer, approves an application for designation of the former Target Distribution Center as an Industrial Recovery Site. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Gilmer, for adoption. Proposal No. 433, 1994 was adopted on the following roll call vote; viz:

28 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

August 22, 1994

0 NAY:

1 NOT PRESENT: Hinkle

Proposal No. 433, 1994 was retitled SPECIAL ORDINANCE NO. 11, 1994 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 11, 1994

A SPECIAL ORDINANCE approving an application for designation of the former Target Distribution Center as an Industrial Recovery Site.

WHEREAS, the City of Indianapolis suffered an economic loss several years ago with the closing of the former Target Distribution Center located at 8250 Zionsville Road, Indianapolis, Indiana; and

WHEREAS, the City of Indianapolis desires to create new jobs and tax base in an antiquated, large and vacant facility located at 8250 Zionsville Road, Indianapolis, Indiana; and

WHEREAS, IC 6-3.1-11 and IC 6-3.1-20.7 provide mechanisms to encourage developers to seek alternative uses for such vacant facilities and provide for certain limited incentives to developers who seek to utilize such facilities; and

WHEREAS, IC 6-3.1-20.7 provides that one of the incentives which may be provided is a property tax credit for increased inventory located on industrial recovery sites; and

WHEREAS, IC 6-3.1-11 provides that another incentive which may be provided is an industrial recovery tax credit, which would apply against the owner's state tax liability; and

WHEREAS, IC 6-3.1-11 provides that in order to qualify for such credits the vacant industrial facility must be designated as an "industrial recovery site" by the Indiana Enterprise Zone Board; and

WHEREAS, the Enterprise Zone Board may only designate a facility as an industrial recovery site if it has received an application from the executive of the municipality in which the facility is located; and

WHEREAS, the executive of the municipality may make such an application only after receiving the approval of the legislative body of the community in which the facility is located; and

WHEREAS, Duke Realty Limited Partnership intends to redevelop the former Target Distribution Center facility to productive use; and

WHEREAS, the Mayor and the City-County Council believe that it is in the best interests of Indianapolis and Marion County to encourage the productive use of the now vacant Target Distribution Center site; and

WHEREAS, the incentives provided by IC 6-3.1-11 and IC 6-3.1-20.7 will increase the feasibility of the redevelopment of the former Target Distribution Center site; now therefore

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF  
THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The City-County Council hereby authorizes and gives its approval of efforts by Mayor Stephen Goldsmith to make application to the Indiana Enterprise Zone Board for designation of the former Target Distribution Center located at 8250 Zionsville Road, Indianapolis, Indiana, as an industrial recovery site.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 435, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 435, 1994 on August 17, 1994. The proposal is an appropriation to purchase a computer and printer and to attend an out-of-state judicial seminar for the Superior Court, Criminal Division, Room Four, from the County General Fund in the amount of \$2,824 financed by a transfer between characters in that fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that



it do pass. Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 435, 1994 was adopted on the following roll call vote; viz:

27 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

1 NOT VOTING: Black

1 NOT PRESENT: Hinkle

Proposal No. 435, 1994 was retitled FISCAL ORDINANCE NO. 72, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 72, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Two Thousand Eight Hundred Twenty-four Dollars (\$2,824) in the County General Fund for purposes of the Superior Court, Criminal Division, Room Four and reducing certain other appropriations for that Court.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02.(ii) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Superior Court, Criminal Division, Room Four to purchase a computer and printer and to attend an out of state judicial seminar.

SECTION 2. The sum of Two Thousand Eight Hundred Twenty-four Dollars (\$2,824) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM FOUR</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	1,038
4. Capital Outlay	<u>1,786</u>
TOTAL INCREASE	2,824

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM FOUR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	<u>2,824</u>
TOTAL REDUCTION	2,824

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 442, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 442, 1994 on August 17, 1994. The proposal is an appropriation to cover contract photocopying services for the Superior Court, Criminal Division, Probation Department, from the Supplemental Adult Probation Fees Fund in the amount of \$2,500 financed by a transfer between characters in that fund. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 442, 1994 was adopted on the following roll call vote; viz:

August 22, 1994

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT PRESENT: *Hinkle*

Proposal No. 442, 1994 was retitled FISCAL ORDINANCE NO. 73, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 73, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Two Thousand Five Hundred Dollars (\$2,500) in the Supplemental Adult Probation Fees Fund for purposes of the Superior Court, Criminal Division, Probation Department and reducing certain other appropriations for that Department.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02.(mm) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Superior Court, Criminal Division, Probation Department to cover contract photocopying services.

SECTION 2. The sum of Two Thousand Five Hundred Dollars (\$2,500) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>SUPERIOR COURT, CRIMINAL DIVISION,</u> <u>PROBATION DEPARTMENT</u>	<u>SUPPLEMENTAL ADULT PROBATION FEES FUND</u>
3. Other Services and Charges	<u>2,500</u>
TOTAL INCREASE	2,500

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>SUPERIOR COURT, CRIMINAL DIVISION,</u> <u>PROBATION DEPARTMENT</u>	<u>SUPPLEMENTAL ADULT PROBATION FEES FUND</u>
2. Supplies	<u>2,500</u>
TOTAL REDUCTION	2,500

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 443, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 443, 1994 on August 17, 1994. The proposal amends the Code by eliminating the age cap for the County Sheriff's Reserves. By an 8-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 443, 1994 was adopted on the following roll call vote; viz:

23 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

2 NAYS: *Gray, Mullin*

3 NOT VOTING: *Black, Golc, Williams*

1 NOT PRESENT: *Hinkle*



Proposal No. 443, 1994 was retitled GENERAL ORDINANCE NO. 113, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 113, 1994

A GENERAL ORDINANCE for an amendment to Sec 23½-3 of the Code of Indianapolis and Marion County deleting the upper age limit for Marion County Sheriff's Department reserves.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. Sec. 23½ of the Code of Indianapolis and Marion County is hereby amended by deleting the words stricken-through and adding the words underlined as follows:

Sec. 23½-3. Eligibility requirements; application for membership.

Any citizen of the United States, who is a resident of Marion County, Indiana, and who is ~~between the ages of at least twenty-one (21) and fifty (50)~~ years of age shall be eligible to make application to become a member of the reserves. Members of the existing reserve division are required, upon date of appointment, to live within Marion County. Applicants shall make application in the form and manner and undergo such physical and academic examinations and interviews as the sheriff shall require.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NO. 475, 1994. Councillor Schneider reported that the Municipal Corporations Committee heard Proposal No. 475, 1994 on August 11, 1994. The proposal, sponsored by Councillor Borst, concerns the renaming of the Hoosier Dome. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Schneider explained that RCA will pay the City \$10 million to rename the Hoosier Dome the RCA Dome. This money will be used to help fund the new baseball stadium for the Indianapolis Indians and renovations to Market Square Arena and the RCA Dome. Councillor Schneider moved, seconded by Councillor Short, to strike.

Councillor Borst said that he had five comments to make: (1) the hearing held on August 11, 1994 addressed all the issues, (2) there was no public testimony in this whole process, (3) Thompson Consumer Electronics should be commended for becoming the corporate sponsor, (4) he still does not agree with the deal that was made, and (5) the payments from RCA do not begin until January 1995.

Councillor West said he still has not seen a copy of the agreement between the City and RCA. Councillor Schneider said as the documents become available, he will make sure all the members of the Council receive copies.

August 22, 1994

Councillor McClamroch thanked Thompson Consumer Electronics for committing to be the corporate sponsor. He said that the winners in this process are the Marion County taxpayers.

Proposal No. 475, 1994 was stricken by majority voice vote.

#### ANNOUNCEMENTS AND ADJOURNMENT

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Charles E. Martin, Jr. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:59 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 22nd day of August, 1994.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Clerk of the Council

(SEAL)





**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, SEPTEMBER 12, 1994**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:10 p.m. on Monday, September 12, 1994, with Councillor SerVaas presiding.

Councillor West led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*28 PRESENT: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
*1 ABSENT: Black*

A quorum of twenty-eight members being present, the President called the meeting to order.

**OFFICIAL COMMUNICATIONS**

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers,



*Journal of the City-County Council*

on Monday, September 12, 1994, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Beurt SerVaas  
President, City-County Council

August 30, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, September 1, 1994, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 436, 437, 438, 439, 440, 441 and 483, 1994, to be held on Monday, September 12, 1994, at 7:00 p.m., in the City-County Building.

Respectfully,  
s/Suellen Hart  
Clerk of the City-County Council

Proposal No. 436, 1994 was reprinted on September 6, 1994 due to an error on the part of the Indianapolis News.

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances and resolutions:

GENERAL ORDINANCE NO. 112 - establishes the "Information Services Internal Services Fund"

GENERAL ORDINANCE NO. 113 - amending the Code by eliminating the age cap for the County Sheriff's Reserves

FISCAL ORDINANCE NO. 69 - an appropriation to transfer funds to the City of Beech Grove to develop park and recreation facilities by the Department of Parks and Recreation from the Park Land Fund in the amount of \$350,000 financed by revenues from previous sales of Department of Parks and Recreation land

FISCAL ORDINANCE NO. 70 - an appropriation to continue various programs for the diversion of misdemeanor populations from their penal facilities for the County Auditor, County Sheriff, Community Corrections, and the Marion County Justice Agency from the County Corrections Fund in the amount of \$294,000 financed by revenues from a state grant

FISCAL ORDINANCE NO. 71 - an appropriation to pay the expenses of wards in institutions for the Marion County Office of Family and Children from the Welfare General Fund in the amount of \$4,278,082 financed by revenues from federal reimbursements under Title IV-A and IV-E received in excess of the original amount budgeted

FISCAL ORDINANCE NO. 73 - an appropriation to cover contract photocopying services for the Superior Court, Criminal Division, Probation Department, from the Supplemental Adult Probation Fees Fund in the amount of \$2,500 financed by a transfer between characters in that fund

SPECIAL ORDINANCE NO. 10 - electing to fund the operation of MECA in part with revenue of two million dollars from the County Option Income Tax

SPECIAL ORDINANCE NO. 11 - approving an application for designation of the former Target Distribution Center as an Industrial Recovery Site

SPECIAL RESOLUTION NO. 61 - recognizing the Skiles Test All-Stars baseball team

September 12, 1994

SPECIAL RESOLUTION NO. 62 - amending City-County Special Resolution No. 45, 1993, as amended, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds

Respectfully,  
s/Stephen Goldsmith, Mayor

### **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Councillor Gilmer asked for consent to amend the agenda by hearing Proposal No. 496, 1994 immediately following the Presentation of Petitions, Memorials, Special Resolutions and Council Resolutions. Consent was given.

### **APPROVAL OF JOURNALS**

President SerVaas called for additions or corrections to the Journal of August 22, 1994. There being no additions or corrections, the minutes were approved as distributed.

### **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 532, 1994. This proposal, sponsored by Councillor Smith, recognizes the Franklin Central High School Band. Councillor Smith read the resolution and presented a copy of the document to Raymond G. Hauser Jr., band director, who expressed appreciation for the recognition. Also present were Carrie Bertram, Douglas L. Moon, Sherry A. Mullinix, Matthew L. Covert and Staci M. Ketron, band members; and Bill Janes, band booster. Councillor Smith moved, seconded by Councillor Gilmer, for adoption. Proposal No. 532, 1994 was adopted by unanimous voice vote.

Proposal No. 532, 1994 was retitled SPECIAL RESOLUTION NO. 63, 1994 and reads as follows:

#### **CITY-COUNTY SPECIAL RESOLUTION NO. 63, 1994**

A SPECIAL RESOLUTION recognizing the Franklin Central High School Band.

WHEREAS, August 10, 1994, was looking good for the Franklin Central High School Marching Flashes Band at the 47th Annual Indiana State Fair Band Day Contest; and

WHEREAS, that morning in the first round of judging, the southeast Marion County school earned top awards for music, marching, general effect and guard, and second place in percussion; and

WHEREAS, after long hard weeks of summer practice, each one of the 181 members of Franklin Central's Band was prepared for the evening's final round of eliminations; and

WHEREAS, that night each band member did what was expected of him and her, and the State Fair Band Day judges voted Franklin Central as the best band in the state--for the second year in a row; now, therefore

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and congratulates the Franklin Central High School Marching Band for winning the 1994 Indiana State Fair Band Day Contest.



SECTION 2. The Council specifically commends each member of the Franklin Central Band and Color Guard, Band Director Raymond Hauser, Assistant Director Daniel P. Fyffe, and the school administration and band parents for all of their help and encouragement to make Franklin Central the number one high school band in the State of Indiana.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 533, 1994. This proposal, sponsored by Councillors Gilmer, Jimison and McClamroch, commemorates the anniversary of the United States Constitution. Councillor Gilmer read the resolution and presented copies of the document to Mrs. Lelah Keller and Mrs. Betty Hosier Jr., members of the Cornelia Cole Fairbanks Chapter, Daughters of the American Revolution, and to Mr. Scott Hosier Jr., member of the Sons of Daughters of the American Revolution. Mrs. Keller expressed appreciation for the recognition. Councillor Gilmer moved, seconded by Councillor Jimison, for adoption. Proposal No. 533, 1994 was adopted by unanimous voice vote.

Proposal No. 533, 1994 was retitled SPECIAL RESOLUTION NO. 64, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 64, 1994

A SPECIAL RESOLUTION commemorating the anniversary of the U.S. Constitution.

WHEREAS, the Constitution of the United States of America--the guardian of our liberties--is a product of reflection and choice, embodying the principles of limited government in a Republic dedicated to the rule of law, not rule by men; and

WHEREAS, September 17, 1994, marks the two hundred and seventh anniversary of the drafting of the Constitution by the members assembled at the 1787 Constitutional Convention; and

WHEREAS, Public Law 915 by the U.S. Congress in 1956 guarantees the issuing of a proclamation each year by the President of this great country designating September 17 through 23 as Constitution Week; and

WHEREAS, it is fitting and proper to accord an official recognition to this magnificent, enduring and living document; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council joins with the Daughters of the American Revolution and many other organizations in commemorating the anniversary of the United States Constitution.

SECTION 2. The Council asks all Indianapolis citizens to reflect upon and to reaffirm the ideals which the framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that any lost rights may never be regained.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 534, 1994. This proposal, sponsored by Councillors Hinkle, Beadling, Borst, Dowden, Gilmer and SerVaas, recognizes John R. Knox. Councillor Hinkle read the resolution and presented a copy of the document to Mr. Knox, who expressed appreciation for the recognition. Also present were his wife and two children. Councillor Hinkle moved,

seconded by Councillor Gilmer, for adoption. Proposal No. 534, 1994 was adopted by unanimous voice vote.

Proposal No. 534, 1994 was retitled SPECIAL RESOLUTION NO. 65, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 65, 1994

A SPECIAL RESOLUTION recognizing John R. Knox.

WHEREAS, John R. Knox came to Indianapolis city government in 1981 as a Personnel Department interviewer and later as a job developer; and

WHEREAS, in 1985, he moved to the city's Channel 16 Cable Television Station, and two years later became manager of the station; and

WHEREAS, Mr. Knox is a Telecommunications graduate of Ball State University; and has earned awards in regional and national video contests, as well as receiving citations from the American Lung Association, the Indianapolis Firefighters Association, the Indianapolis Clean City Committee and the United Way of Central Indiana; and

WHEREAS, professionally he is a regional officer of the Alliance for Community Media, and is a member of the National Association of Telecommunications Officers and Advisers of the National League of Cities; and

WHEREAS, Mr. Knox is President of the Ball State Indianapolis Alumni Government Board, and is active in Northminster Presbyterian Church, Greenleaf Community Center, Explorer Post #447, Millersville Masonic Lodge and has done volunteer election work; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the long and faithful work of John R. Knox for the people of Indianapolis from 1981 through 1994.

SECTION 2. Mr. Knox's work at Channel 16-TV enables citizens throughout the city to watch unedited local government hearings and meetings, and he personally has missed televising only three of the past 199 Indianapolis City-County Council Meetings (and two of those three were for the births of his two children.)

SECTION 3. The Council wishes John, his wife Jan, and their children Jordan and Jessica the best of happiness and success in the years ahead.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**SPECIAL HEARING - FINAL ADOPTION**

PROPOSAL NO. 496, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 496, 1994 on September 7, 1994. The proposal, sponsored by Councillor Short, amends the Code by authorizing a one-way traffic flow eastbound for LeGrande Avenue from Perkins Avenue to Hobart Street (District 21). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Short, for adoption.

Councillor Short introduced Carl Johnson and Chad Van, students at McFarland Middle School, who had petitioned to make this segment of LeGrande Avenue a one-way street.

Proposal No. 496, 1994 was adopted on the following roll call vote; viz:



25 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

0 NAYS:

3 NOT VOTING: *Golc, Gray, Williams*

1 NOT PRESENT: *Black*

Proposal No. 496, 1994 was retitled GENERAL ORDINANCE NO. 114, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 114, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-166, One-way streets and alleys designated.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-166, One-way streets and alleys designated, be, and the same is hereby amended by the addition of the following, to wit:

EASTBOUND  
LeGrande Avenue,  
from Perkins Avenue to Hobart

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 515, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Comprehensive Zoning Maps of Marion County by updating base maps #16, #17 and #40"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 516, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE approving the transfer of certain territory located at approximately 3600-4200 9th Avenue from the Consolidated City of Indianapolis to the City of Beech Grove"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 517, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to make technical corrections to F.O. 67, 1994 which authorized appropriations to the Prosecuting Attorney, County Sheriff, County Auditor and Presiding Judge of the Municipal Court from fees generated in the Deferral Program Fee Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 518, 1994. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to pay for the Visiting Nurse Service as part of its Family Connection Center Program for the Domestic Relations section of the Court Administrator Agency from the State and Federal Grants Fund

in the amount of \$25,600 financed by revenues from a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 519, 1994. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Phoenix Drive and Southwest Drive (District 19)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 520, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a stop sign for Shore Drive at Shore Terrace (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 521, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the code by authorizing a multi-way stop at Beach Avenue, 79th Street and Lincoln Boulevard (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 522, 1994. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Bauman Street and West Lake Road (District 18)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 523, 1994. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Frye Road, Shelbyville Road and Matthews Road (District 23)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 524, 1994. Introduced by Councillor Beadling. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Bowline Drive and Skipjack Drive (District 5)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 525, 1994. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Illinois Street and 43rd Street, Westbound (District 6)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 526, 1994. Introduced by Councillors Schneider and Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a traffic signal at 86th Street and Haverstick Road (Districts 3, 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 527, 1994. Introduced by Councillor Golc. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing the speed limit on Tibbs Avenue from Kentucky Avenue to Washington Street (District 17)"; and the President referred it to the Capital Asset Management Committee.



PROPOSAL NO. 528, 1994. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing reserved parking spaces for State War Memorial vehicle parking (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 529, 1994. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing parking restrictions on Farnsworth Street, on both sides, from Holt Road to a point 1,000 feet east of Holt Road (District 19)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 530, 1994. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing parking restrictions on Roosevelt Avenue, on both sides, from 17th Street to Tipton Street (District 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 531, 1994. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a passenger and material loading zone for One Penn Partners on Washington Street (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 535, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Bernie Paul to the Air Pollution Control Board"; and the President referred it to the Public Works Committee.

#### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 536, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on September 8, 1994." The Council did not schedule Proposal No. 536, 1994 for hearing pursuant to IC 36-7-4-608. Proposal No. 536, 1994 was retitled REZONING ORDINANCE NO. 116, 1994 and is identified as follows:

REZONING ORDINANCE NO. 116, 1994. 94-Z-76 WARREN TOWNSHIP.  
COUNCILMANIC DISTRICT # 13.  
5102 EAST WASHINGTON STREET (approximate address), INDIANAPOLIS.  
RENT-N-OWN CENTER, INC., by Stephen D. Mears, requests the rezoning of 0.45 acre, being in the D-8 District, to the C-3 classification to provide for retail use in an existing building.

PROPOSAL NOS. 537-542, 1994. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on September 8, 1994." The Council did not schedule Proposal Nos. 537-542, 1994 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 537-542, 1994 were retitled REZONING ORDINANCE NOS. 117-122, 1994 and are identified as follows:

REZONING ORDINANCE NO. 117, 1994. 94-Z-114 WARREN TOWNSHIP.  
COUNCILMANIC DISTRICT # 10.  
2630 NORTH ARLINGTON AVENUE (approximate address), INDIANAPOLIS.

September 12, 1994

TRUSTEES OF MEMBERS OF THE FIRST CHURCH OF THE OPEN BIBLE, by Dennis F. McCrosson, requests the rezoning of 1.27 acres, being in the SU-2 District, to the SU-1 classification to conform zoning to the existing church uses, including educational and religious services.

REZONING ORDINANCE NO. 118, 1994. 94-Z-115 PERRY TOWNSHIP.  
COUNCILMANIC DISTRICT # 20.

7119 U.S. 31 SOUTH (approximate address), INDIANAPOLIS.

ELKMEN ENTERPRISES requests the rezoning of 1.0 acre, being in the D-3 District, to the C-1 classification to provide for office use.

REZONING ORDINANCE NO. 119, 1994. 94-Z-135 WARREN TOWNSHIP.  
COUNCILMANIC DISTRICT # 13.

9305 RAWLES AVENUE (approximate address), INDIANAPOLIS.

KENNETH R. MERRY, by David A. Retherford, requests the rezoning of 9.2 acres, being in the D-A District, to the D-S classification to provide for the development of two single-family residences.

REZONING ORDINANCE NO. 120, 1994. 94-Z-140 WARREN TOWNSHIP.  
COUNCILMANIC DISTRICT # 13.

501 SOUTH MITTHOEFFER ROAD (approximate address), INDIANAPOLIS.

IRONGATE DEVELOPERS, INC. requests the rezoning of 24.814 acres, being in the D-A District, to the D-2 classification to provide for single-family residential subdivision development.

REZONING ORDINANCE NO. 121, 1994. 94-Z-141 WARREN TOWNSHIP.  
COUNCILMANIC DISTRICT # 12.

3402 NORTH POST ROAD (approximate address), INDIANAPOLIS.

DEAN MELLINGER requests the rezoning of 4.306 acres, being in the D-4 District, to the SU-1 classification to provide for development of a church.

REZONING ORDINANCE NO. 122, 1994. 94-Z-144 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 16.

502 FLETCHER AVENUE (approximate address), INDIANAPOLIS.

HISTORIC LANDMARKS FOUNDATION OF INDIANA requests the rezoning of 0.25 acre, being in the I-4-U (RC) District, to the CBD-2 (RC) classification to provide for the relocation of the Indiana Oxygen Building.

### SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 26, 1994. The proposal, sponsored by Councillor Franklin, appropriates \$8,413 for the Superior Court, Criminal Division, Room Five, to fund an additional clerk's position. Councillor Dowden asked for consent to postpone Proposal No. 26, 1994 until October 17, 1994. Consent was given.

PROPOSAL NO. 436, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 436, 1994 on August 31, 1994. The proposal, sponsored by Councillor McClamroch, is an appropriation from the Cumulative Capital Development Fund in the amount of \$316,000 to pay jail rent for the County Sheriff and funded by reducing appropriations for the County Sheriff and the Court Administrator Agency. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 7:50 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor McClamroch, for adoption. Proposal No. 436, 1994 was adopted on the following roll call vote; viz:

21 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Hinkle, Jones, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, Shambaugh, Smith, West*

0 NAYS:



7 NOT VOTING: Golc, Gray, Jimison, McClamroch, SerVaas, Short, Williams

1 NOT PRESENT: Black

Proposal No. 436, 1994 was retitled FISCAL ORDINANCE NO. 74, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 74, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Three Hundred Sixteen Thousand Dollars (\$316,000) in the Cumulative Capital Development Fund for purposes of the County Sheriff and reducing certain other appropriations for that Agency and the Court Administrator Agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02.(aa) and (xx) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Sheriff to pay jail rent from the Cumulative Capital Development Fund while reducing appropriations for other agencies and purposes.

SECTION 2. The sum of Three Hundred Sixteen Thousand Dollars (\$316,000) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY SHERIFF</u>	<u>CUMULATIVE CAPITAL DEVELOPMENT FUND</u>
3. Other Services and Charges	316,000
TOTAL INCREASE	316,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>COURT ADMINISTRATOR AGENCY</u>	<u>CUMULATIVE CAPITAL DEVELOPMENT FUND</u>
3. Other Services and Charges	316,000

<u>COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	316,000

<u>COURT ADMINISTRATOR AGENCY</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	210,000
TOTAL REDUCTION	842,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 437, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 437, 1994 on August 17, 1994. The proposal is an appropriation from the State and Federal Grants Fund in the amount of \$60,000 to pay overtime to officers working Project 55 for the County Sheriff financed by revenues from a state grant. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 7:51 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 437, 1994 was adopted on the following roll call vote; viz:

September 12, 1994

22 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Smith, West

0 NAYS:

6 NOT VOTING: Golc, Gray, Jimison, Schneider, Short, Williams

1 NOT PRESENT: Black

Proposal No. 437, 1994 was retitled FISCAL ORDINANCE NO. 75, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 75, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Sixty Thousand Dollars (\$60,000) in the State and Federal Grants Fund for purposes of the County Auditor and County Sheriff and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02.(b), and (aa) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of County Auditor and County Sheriff to support officers' overtime supporting project 55 Selective Enforcement Program.

SECTION 2. The sum of Sixty Thousand Dollars (\$60,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY SHERIFF</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	48,000
 <u>COUNTY AUDITOR</u>	
1. Personal Services - (fringes)	12,000
TOTAL INCREASE	60,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	60,000
TOTAL REDUCTION	60,000

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor, are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 438, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 438, 1994 on August 17, 1994. The proposal is an appropriation from the State and Federal Grants Fund in the amount of \$9,830 to pay for personnel services for the Julian Center for the Marion County Justice Agency financed by revenues from a federal grant. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.



The President called for public testimony at 7:53 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 438, 1994 was adopted on the following roll call vote; viz:

23 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith, West*

0 NAYS:

5 NOT VOTING: *Golc, Gray, Jimison, Short, Williams*

1 NOT PRESENT: *Black*

Proposal No. 438, 1994 was retitled FISCAL ORDINANCE NO. 76, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 76, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Nine Thousand Eight Hundred Thirty Dollars (\$9,830) in the State and Federal Grants Fund for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1. 02.(ee) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Justice Agency to act as sub-grantee for the Indiana Criminal Justice Institute to pay for personnel services for the Julian Center.

SECTION 2. The sum of Nine Thousand Eight Hundred Thirty Dollars (\$ 9,830) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>9,830</u>
TOTAL INCREASE	9,830

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>9,830</u>
TOTAL REDUCTION	9,830

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor, are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 439, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 439, 1994 on August 31, 1994. The proposal is an appropriation from the Drug Free Community Fund in the amount of \$564,773 to provide various criminal justice, treatment and education programs promoting comprehensive

September 12, 1994

local alcohol, tobacco and drug abuse prevention initiatives for the Marion County Justice Agency financed by unappropriated revenues. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 7:55 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Jimison, for adoption. Proposal No. 439, 1994 was adopted on the following roll call vote; viz:

23 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Jones, McClamroch, Moriarty Adams, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith, West, Williams*

0 NAYS:

5 NOT VOTING: *Gray, Hinkle, Jimison, Mullin, Short*

1 NOT PRESENT: *Black*

Proposal No. 439, 1994 was retitled FISCAL ORDINANCE NO. 77, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 77, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Five Hundred Sixty-four Thousand Seven Hundred Seventy-three Dollars (\$564,773) in the Drug Free Community Fund for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the Drug Free Community Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02.(b) and (ee) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of County Auditor and Marion County Justice Agency to provide various criminal justice, treatment and education programs promoting comprehensive local alcohol, tobacco and drug abuse prevention initiatives.

SECTION 2. The sum of Five Hundred Sixty-four Thousand Seven Hundred Seventy-three Dollars (\$564,773) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>DRUG FREE COMMUNITY FUND</u>
1. Personal Services (fringes)	19,442
<u>MARION COUNTY JUSTICE AGENCY</u>	
1. Personal Services	79,264
2. Supplies	61,709
3. Other Services and Charges	351,781
4. Capital Outlay	<u>52,577</u>
TOTAL INCREASE	564,773

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>DRUG FREE COMMUNITY FUND</u>
Unappropriated and Unencumbered	
Drug Free Community Fund	<u>564,773</u>
TOTAL REDUCTION	564,773

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.



PROPOSAL NO. 440, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 440, 1994 on August 17, 1994. The proposal is an appropriation from the State and Federal Grants Fund in the amount of \$445,140 to pay salaries and other costs associated with law enforcement officers participating in the multi-jurisdictional pursuit of illegal drug activities for the County Auditor, Prosecuting Attorney, County Sheriff, and Marion County Justice Agency financed by revenues from a state grant. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 7:57 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Franklin, for adoption. Proposal No. 440, 1994 was adopted on the following roll call vote; viz:

28 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

1 NOT PRESENT: Black

Proposal No. 440, 1994 was retitled FISCAL ORDINANCE NO. 78, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 78, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Four Hundred Forty-five Thousand One Hundred Forty Dollars (\$445,140) in the State and Federal Grants Fund for purposes of the County Auditor, Prosecuting Attorney, County Sheriff, and Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02.(b), (x), (aa), and (ee) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor, Prosecuting Attorney, County Sheriff, and Marion County Justice Agency to pay salaries and other costs associated with law enforcement officers participating in the multi-jurisdictional pursuit of illegal drug activities.

SECTION 2. The sum of Four Hundred Thousand Forty-five One Hundred Forty Dollars (\$445,140) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services - (fringes)	42,504
<u>PROSECUTING ATTORNEY</u>	
1. Personal Services	139,456
<u>COUNTY SHERIFF</u>	
1. Personal Services	64,921
<u>MARION COUNTY JUSTICE AGENCY</u>	
3. Other Services and Charges	198,259
TOTAL INCREASE	445,140

SECTION 4. The said additional appropriation is funded by the following reductions:

<u>STATE AND FEDERAL GRANTS FUND</u>	
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>445,140</u>
TOTAL REDUCTION	445,140

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor, are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 441, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 441, 1994 on August 17, 1994. The proposal is an appropriation from the Supplemental Adult Probation Fees Fund in the amount of \$16,000 to fund increased telephone expenses and urine processing fees and to cover expenditures concerning office security, office operations and other special needs for the Superior Court, Criminal Division, Probation Department, financed by unappropriated revenues. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 7:58 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 441, 1994 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Brents*

1 NOT PRESENT: *Black*

Proposal No. 441, 1994 was retitled FISCAL ORDINANCE NO. 79, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 79, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Sixteen Thousand Dollars (\$16,000) in the Supplemental Adult Probation Fees Fund for purposes of the Superior Court, Criminal Division, Probation Department and reducing the unappropriated and unencumbered balance in the Supplemental Adult Probation Fees Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02. (mm) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Superior Court, Criminal Division, Probation Department to cover telephone costs for the Presentence Investigation Office, Urine Screen Processing costs, and expenses associated with increased physical and personal security.

SECTION 2. The sum of Sixteen Thousand Dollars (\$16,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:



SUPERIOR COURT, CRIMINAL DIVISION,  
PROBATION DEPARTMENT

3. Other Services and Charges  
TOTAL INCREASE

SUPPLEMENTAL ADULT PROBATION FEES FUND

16,000  
16,000

SECTION 4. The said additional appropriation is funded by the following reductions:

SUPPLEMENTAL ADULT PROBATION FEES FUND

Unappropriated and Unencumbered  
Supplemental Adult Probation Fees Fund  
TOTAL REDUCTION

16,000  
16,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 483, 1994. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 483, 1994 on August 25, 1994. The proposal, sponsored by Councillors Coughenour and Gilmer, is an appropriation from the Sanitation General Fund, Flood Control General Fund, Transportation General Fund and the Maintenance Operations General Fund in the amount of \$4,105,087 to fund the competitive bid process for the Department of Public Works (DPW), Maintenance Operations Division, financed by transfers from the Sanitation General Fund, the Flood Control General Fund, and the Transportation General Fund within the Department of Capital Asset Management, Asset Management Division, and by contract revenues from DPW, Maintenance Operations Division's, Maintenance Operations General Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:02 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Gilmer, for adoption. Proposal No. 483, 1994 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
0 NAYS:  
1 NOT PRESENT: *Black*

Proposal No. 483, 1994 was retitled FISCAL ORDINANCE NO. 80, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 80, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Four Million One Hundred Five Thousand Eighty-seven Dollars (\$4,105,087) in the Maintenance General Fund for purposes of the Department of Public Works, Maintenance Operation Division and reducing certain other appropriations for Department of Capital Asset Management, Division of Asset Management and the Unappropriated and Unencumbered Maintenance General Fund Balance.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01. (k) and 1.01. (l) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works, Maintenance Operations Division, to fund activities that the City has demonstrated that it is more cost competitive than the private sector in infrastructure maintenance.

September 12, 1994

SECTION 2. The sum of Four Million One Hundred Five Thousand Eighty-seven Dollars (\$4,105,087) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS,</u>	
<u>MAINTENANCE OPERATIONS DIVISION</u>	<u>MAINTENANCE OPERATIONS GENERAL FUND</u>
1. Personal Services	2,671,024
2. Supplies	384,931
3. Other Services and Charges	<u>1,049,132</u>
TOTAL INCREASE	4,105,087

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u>	
<u>DIVISION OF ASSET MANAGEMENT</u>	<u>SANITATION GENERAL FUND</u>
3. Other Services and Charges	2,079,060

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u>	
<u>DIVISION OF ASSET MANAGEMENT</u>	<u>FLOOD CONTROL GENERAL FUND</u>
3. Other Services and Charges	261,987

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u>	
<u>DIVISION OF ASSET MANAGEMENT</u>	<u>TRANSPORTATION GENERAL FUND</u>
3. Other Services and Charges	593,601

	<u>MAINTENANCE OPERATIONS GENERAL FUND</u>
Unappropriated and Unencumbered	
Maintenance Operations General Fund	<u>1,170,439</u>
TOTAL REDUCTION	4,105,087

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

### **SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 434, 1994. Councillor Giffin stated that he voted on the non-prevailing side on this proposal and that Councillor Rhodes would make the Committee report. Councillor Rhodes reported that the Parks and Recreation Committee heard Proposal No. 434, 1994 on August 1, 1994. The proposal, sponsored by Councillor Boyd, requests the establishment of a panel to review the operations and current circumstances of the Department of Parks and Recreation and to make recommendations to the Council. By a 4-3 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Rhodes moved, seconded by Councillor Shambaugh, to strike.

Councillor Rhodes stated that he does not feel a special panel is needed. A subcommittee of the Parks Committee could be established to review this matter.

Proposal No. 434, 1994 was stricken on the following roll call vote; viz:

19 YEAS: Beadling, Borst, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, McClamroch, Moriarty Adams, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West  
9 NAYS: Boyd, Brents, Coughenour, Giffin, Gray, Jimison, Jones, Mullin, Williams  
1 NOT PRESENT: Black

Councillor Boyd asked for consent to explain his vote. Consent was given.



Councillor Boyd said he initiated this proposal because it was a reasonable way to approach certain concerns in the community regarding the Parks Department. Since his proposal failed, he announced that he would hold a hearing on September 27, 1994 at 6:00 p.m. in Room 260 in the City-County Building dealing with certain Parks Department issues.

Councillor McClamroch asked for consent to explain his vote. Consent was given. Councillor McClamroch said that he voted to strike because there is no need to establish a special panel. The Parks Committee is charged with the oversight of the Parks Department by law. If Councillor Boyd has questions he should voice them before the Parks Committee.

PROPOSAL NO. 444, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 444, 1994 on August 31, 1994. The proposal amends the Community Corrections program for fiscal year 1994-1995, and approves the actions of the Community Corrections Advisory Board for and on behalf of the Superior Court, Juvenile Division's 1994-1995 grant application to the State. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 444, 1994 was adopted on the following roll call vote; viz:

*28 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

*0 NAYS:*

*1 NOT PRESENT: Black*

Proposal No. 444, 1994 was retitled COUNCIL RESOLUTION NO. 78, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 78, 1994

A COUNCIL RESOLUTION amending the Marion County Community Corrections Program for fiscal year 1994-1995, and approving the actions of the Marion County Community Corrections Advisory Board for and on behalf of the Superior Court, Juvenile Division's 1994-1995 grant application to the State of Indiana, Department of Corrections.

WHEREAS, the Marion County Community Corrections Advisory Board was established by City-County Special Resolution No. 103, 1981, pursuant to IC 11-12-1; and

WHEREAS, Marion County received a grant from the State of Indiana to finance the Marion County Community Corrections Program for fiscal year 1994-1995; and

WHEREAS, the Marion County Community Corrections Advisory Board is currently operating a Community Corrections Program funded by the grant from the State of Indiana; and

WHEREAS, the Marion County Community Corrections Advisory Board has amended the grant application for fiscal year 1994-1995 for and on behalf of the Superior Court, Juvenile Division, a copy of which amendment is on file with the Clerk of the Council and incorporated herein by reference, and has submitted said grant amendment to the State of Indiana, Department of Corrections for its consideration; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF  
THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The actions of the Marion County Community Corrections Advisory Board with respect to amending the Board's grant application to the State of Indiana, Department of Corrections for and on behalf of

the Superior Court, Juvenile Division are hereby approved, and the Board is authorized to proceed in accordance with IC 11-12-2 and the terms of said amendment.

SECTION 2. In the event that the State of Indiana, Department of Corrections approves the grant amendment for the Superior Court, Juvenile Division, the City-County Council of Indianapolis and Marion County hereby amends the Community Corrections Program for the one-year period beginning on July 1, 1994.

SECTION 3. This City-County Council has no intention of supplementing or financing the projects contained in such grant amendment and approved herein by use of revenues from any local tax regardless of source. At any time that knowledge is received that the state or federal financing of this amendment is, or will be, reduced or eliminated, the chairman of the Community Corrections Advisory Board or the County Auditor or both are directed to notify the City-County Council in writing of such proposed loss of revenue. Any contract, purchase order or financial commitment by the Community Corrections Advisory Board or the Superior Court, Juvenile Division shall be subject to available non-local revenues and void to the extent such funding is not received.

SECTION 4. Notwithstanding IC 11-12-1-3, any agreement or other contract contemplating the lease, purchase, or use of residential space for a Community Corrections Program in Marion County must be signed by the Mayor of Indianapolis as County Executive after prior approval of the City-County Council pursuant to IC 36-3.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 478, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 478, 1994 on August 29, 1994. The proposal is an appropriation from the Consolidated County Fund in the amount of \$120,000 to pay for future contracts and consultant fees for competitive bid projects for the Department of Administration, Indianapolis Fleet Services Division, financed by a transfer within the division's budget. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Coughenour, for adoption. Proposal No. 478, 1994 was adopted on the following roll call vote; viz:

23 YEAS: *Beadling, Boyd, Brents, Coughenour, Curry, Dowden, Giffin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, Shambaugh, Short, Smith, West*

3 NAYS: *Borst, Franklin, Williams*

2 NOT VOTING: *Jimison, SerVaas*

1 NOT PRESENT: *Black*

Proposal No. 478, 1994 was retitled FISCAL ORDINANCE NO. 81, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 81, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional One Hundred Twenty Thousand Dollars (\$120,000) in the Consolidated County Fund for purposes of the Department of Administration, Indianapolis Fleet Services Division, and reducing certain other appropriations for that Division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01.(i) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Department of Administration, Indianapolis Fleet Services Division, to pay for contracted out services where IFS is not cost effective in delivering these services.

SECTION 2. The sum of One Hundred Twenty Thousand Dollars (\$120,000) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.



SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF ADMINISTRATION</u>	<u>CONSOLIDATED COUNTY FUND</u>
<u>INDIANAPOLIS FLEET SERVICES DIVISION</u>	
3. Other Services and Charges	<u>120,000</u>
TOTAL INCREASE	120,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>DEPARTMENT OF ADMINISTRATION</u>	<u>CONSOLIDATED COUNTY FUND</u>
<u>INDIANAPOLIS FLEET SERVICES DIVISION</u>	
1. Personal Services	<u>120,000</u>
TOTAL REDUCTION	120,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 481, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 481, 1994 on August 31, 1994. The proposal, sponsored by Councillor McClamroch, is an appropriation from the County General Fund in the amount of \$2,200 to pay for expenses incurred for a Special Commissioner during the transition period created when Judge James Kirsch left and Judge David Rimstidt was appointed for the Superior Court, Civil Division, Room Five, financed by a transfer within the court's budget. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Dowden moved, seconded by Councillor McClamroch, to strike. Proposal No. 481, 1994 was stricken by majority voice vote.

Councillor Williams asked that the record show that she abstained from voting on this issue.

PROPOSAL NO. 482, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 482, 1994 on August 31, 1994. The proposal is an appropriation from the County General Fund in the amount of \$1,000 to cover miscellaneous and copier expenses for the Superior Court, Title IV-D Court, financed by a transfer within the court's budget. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 482, 1994 was adopted on the following roll call vote; viz:

24 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Schneider, SerVaas, Shambaugh, Smith, West, Williams*

0 NAYS:

4 NOT VOTING: *Golc, Rhodes, Ruhmkorff, Short*

1 NOT PRESENT: *Black*

Proposal No. 482, 1994 was retitled FISCAL ORDINANCE NO. 82, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 82, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional One Thousand Dollars (\$1,000) in the County General Fund for purposes of the Superior Court, Title IV-D Court, and reducing certain other appropriations for that court.

September 12, 1994

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (vv) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Title IV-D Court, to cover miscellaneous and copier expenses.

SECTION 2. The sum of One Thousand Dollars (\$1,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>SUPERIOR COURT, TITLE IV-D COURT</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>1,000</u>
TOTAL INCREASE	1,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>SUPERIOR COURT, TITLE IV-D COURT</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	<u>1,000</u>
TOTAL DECREASE	1,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 415, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 415, 1994 on August 31, 1994. The proposal, sponsored by Councillors Brents and Gilmer, amends the Code by deleting parking restrictions on Market Street between Capitol Avenue and Alabama Street, and adding new parking meters on Market Street between Capitol Avenue and Illinois Street and between Pennsylvania Street and Alabama Street (District 16). By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer said that since that meeting many Councillors have expressed a desire for more time to review the new parking situation on Market Street. Councillor Hinkle moved, seconded by Councillor McClamroch, to return Proposal No. 415, 1994 to Committee. This motion passed by unanimous voice vote.

Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 445, 446, 447, 448, 449, 450, 451, 452, 454, 486, 487, 488, 489, 490, 492, 493, 494 and 495, 1994 on August 8, 1994.

PROPOSAL NOS. 445, 446, 447, 448, 449, 450, 451, 486, 487, 488, 489 and 490, 1994. Councillor Gilmer asked for consent to vote on these twelve proposals together. Consent was given. PROPOSAL NO. 445, 1994. The proposal, sponsored by Councillor Smith, amends the Code authorizing intersection controls for the Arlington Commons subdivision (District 23). PROPOSAL NO. 446, 1994. The proposal, sponsored by Councillor Coughenour, amends the Code authorizing intersection controls for the Southport Crossing subdivision (District 24). PROPOSAL NO. 447, 1994. The proposal, sponsored by Councillor Gilmer, amends the Code authorizing intersection controls for the Eagles Watch subdivision (District 1). PROPOSAL NO. 448, 1994. The proposal, sponsored by Councillor Gilmer, amends the Code authorizing intersection controls for the Traders Hollow subdivision (District 1). PROPOSAL NO. 449, 1994. The proposal, sponsored by Councillor Gilmer, amends the Code authorizing intersection controls for the Normandy Farms subdivision (District 1). PROPOSAL NO. 450, 1994. The proposal, sponsored by Councillor Dowden, amends the Code authorizing intersection controls for Deville Place subdivision (District 4). PROPOSAL



NO. 451, 1994. The proposal, sponsored by Councillor Dowden, amends the Code authorizing intersection controls for the Ivy Ridge subdivision (District 4). PROPOSAL NO. 486, 1994. The proposal, sponsored by Councillors Ruhmkorff and O'Dell, amends the Code by authorizing intersection controls for Cumberland Estates Subdivision, Phases 2 and 3, Sections 1 and 2 (Districts 12, 13). PROPOSAL NO. 487, 1994. The proposal, sponsored by Councillor Ruhmkorff, amends the Code by authorizing intersection controls for Park Valley subdivision (District 12). PROPOSAL NO. 488, 1994. The proposal, sponsored by Councillor Gray, amends the Code by authorizing intersection controls for Morningside subdivision (District 9). PROPOSAL NO. 489, 1994. The proposal, sponsored by Councillor Gray, amends the Code by authorizing intersection controls for Oakforge Woods subdivision (District 9). PROPOSAL NO. 490, 1994. The proposal, sponsored by Councillor Gray, amends the Code by authorizing stop signs at Arabian Run and Pinto Way, and at Dapple Trace and Sommerworth Lane (District 9). Proposal Nos. 445, 446, 447, 448, 449, 450, 451, 486, 487, 488, 489 and 490, 1994 were adopted on the following roll call vote; viz:

23 YEAS: *Beadling, Borst, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

5 NOT VOTING: *Boyd, Brents, Giffin, Jimison, Schneider*

1 NOT PRESENT: *Black*

Proposal No. 445, 1994 was retitled GENERAL ORDINANCE NO. 115, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 115, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
40, Pg. 1	Arlington Av, Arlington Way	Arlington Av	Stop
40, Pg. 1	Arlington Ci, Miller Woods Ln	Miller Woods Ln	Stop
40, Pg. 1	Arlington Way, Miller Woods Ln	Arlington Way	Stop
40, Pg. 1	Churchman Av, Churchman Way	Churchman Av	Stop
40, Pg. 1	Churchman Ct, Miller Woods Ln	Miller Woods Ln	Yield
40, Pg. 1	Churchman Way, Miller Woods Ln	Churchman Av	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 446, 1994 was retitled GENERAL ORDINANCE NO. 116, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 116, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
47, Pg. 3	McFarland Blvd, Southport Crossing Dr	McFarland Blvd	Stop
47, Pg. 3	McFarland Blvd, Southport Crossing Way	McFarland Blvd	Stop
47, Pg. 3	McFarland Blvd, McFarland Ln	McFarland Blvd	Stop
47, Pg. 3	McFarland Ln, Stop 11 Rd	Stop 11 Rd	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 447, 1994 was retitled GENERAL ORDINANCE NO. 117, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 117, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
15, Pg. 1	Aspen Crest Ln, Aspen Talon Ct	Aspen Crest Ln	Stop
15, Pg. 1	Aspen Crest Ln, Falcon Crescent	Falcon Crescent	Stop
15, Pg. 1	Aspen Crest Ln, Hawks Crescent	Aspen Crest Ln	Yield
15, Pg. 5	Quail Crescent, Quail Ridge Ln	Quail Ridge Ln	Yield

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.



Proposal No. 448, 1994 was retitled GENERAL ORDINANCE NO. 118, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 118, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
1, Pg. 1	Lafayette Rd, Traders Hollow Ln	Lafayette Rd	Stop
1, Pg. 2	Traders Hollow Ct, Traders Hollow Ln	Traders Hollow Ln	Yield

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 449, 1994 was retitled GENERAL ORDINANCE NO. 119, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 119, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
1, Pg. 1	Aigner Ct, and Dior Ct, and Palais Cr, and Palais Dr	Palais Ct, Palais Cr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 450, 1994 was retitled GENERAL ORDINANCE NO. 120, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 120, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

September 12, 1994

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
6, Pg. 1	Deville Pl, 75th St	75th St	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 451, 1994 was retitled GENERAL ORDINANCE NO. 121, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 121, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
12, Pg. 1	Darcy Ct, Graham Rd	Graham Rd	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 486, 1994 was retitled GENERAL ORDINANCE NO. 122, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 122, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
28, Pg. 1	10th St, Dale Hollow Blvd	10th St	Stop
28, Pg. 1	Dale Hollow Blvd, Dale Hollow Dr, Pine Mountain Way	Dale Hollow Dr Pine Mountain Way	Stop
28, Pg. 1	Dale Hollow Ct, Cumberland Gap Dr	Dale Hollow Ct	Stop
28, Pg. 1	Dale Hollow Dr, Fontana Ct	Dale Hollow Dr	Yield
28, Pg. 1	Dale Hollow Dr, Lynchburg Way	Dale Hollow Dr	Stop
28, Pg. 1	Dale Hollow Dr, Watts Bar Ct	Dale Hollow Dr	Stop



28, Pg. 2	Green River Ct, Lynchburg Way	Lynchburg Way	Yield
28, Pg. 3	Lynchburg Way, Pine Mountain Pl	Pine Mountain Pl	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 487, 1994 was retitled GENERAL ORDINANCE NO. 123, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 123, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
28, Pg. 2	Green Brook Dr, Park Ridge Dr	Park Ridge Dr	Stop
28, Pg. 2	Green Brook Dr, Park Stream Dr	Park Stream Dr	Stop
28, Pg. 3	Park Castle Way, Park Valley Dr	Park Valley Dr	Stop
28, Pg. 3	Park Chase Pl, Park Royale Dr	Park Royale Dr	Stop
28, Pg. 3	Park Chase Pl, Park Valley Dr	Park Valley Dr	Stop
28, Pg. 3	Park Glen Ct, Park Thorne Dr	Park Thorne Dr	Stop
28, Pg. 3	Park Hill Dr, Park Hurst Dr	Park Hurst Dr	Stop
28, Pg. 3	Park Hurst Dr, Park Valley Dr	Park Valley Dr	Stop
28, Pg. 3	Park Ridge Dr, Park Valley Dr	Park Valley Dr	Stop
28, Pg. 3	Park Ridge Way, Park Terrace Ct	Park Ridge Way	Stop
28, Pg. 3	Park Ridge Way, Park Valley Dr	Park Ridge Way	Stop
28, Pg. 3	Park Thorne Dr, Park Valley Dr	Park Valley Dr	Stop
28, Pg. 3	Park Thorne Dr, Park Vista Ct	Park Thorne Dr	Stop

September 12, 1994

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 488, 1994 was retitled GENERAL ORDINANCE NO. 124, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 124, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
10, Pg. 6	48th St, Melbourne Rd	48th St	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 489, 1994 was retitled GENERAL ORDINANCE NO. 125, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 125, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9, Pg. 2	Hickory Forge Ct, Oak Forge Dr	Oak Forge Dr	Yield
9, Pg. 3	Oak Forge Dr, Pine Forge Ct	Oak Forge Dr	Yield

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 490, 1994 was retitled GENERAL ORDINANCE NO. 126, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 126, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:



<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9, Pg. 1	Arabian Run, Pinto Way	None	All Way Stop
10, Pg. 7	Dapple Trace, Sommerworth Ln	None	All Way Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 452, 1994. The proposal, sponsored by Councillor Gilmer, amends the Code authorizing a traffic signal at Zionsville Road and 74th Street (District 1). Proposal No. 452, 1994 was adopted on the following roll call vote; viz:

24 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jones, McClamroch, Moriarty Adams, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

0 NAYS:

4 NOT VOTING: *Gray, Jimison, Mullin, Williams*

1 NOT PRESENT: *Black*

Proposal No. 452, 1994 was retitled GENERAL ORDINANCE NO. 127, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 127, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
2, Pg. 3	Zionsville Rd, 74th St	None	Signal

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 454, 1994. The proposal, sponsored by Councillor Black, amends the Code by deleting the no parking anytime restriction on Illinois Street, on the eastside, from 39th Street to 40th Street (District 6). Proposal No. 454, 1994 was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith*

0 NAYS:

3 NOT VOTING: *Giffin, West, Williams*

1 NOT PRESENT: *Black*

Proposal No. 454, 1994 was retitled GENERAL ORDINANCE NO. 128, 1994 and reads as follows:

September 12, 1994

CITY-COUNTY GENERAL ORDINANCE NO. 128, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-267, Parking prohibited at all times on certain streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the deletion of the following, to wit:

Illinois Street, on the eastside,  
from 39th Street to 40th Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 492, 1994. The proposal, sponsored by Councillor Williams, amends the Code by authorizing parking restrictions on 30th Street in the vicinity of Elmira Street (District 22). Proposal No. 492, 1994 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT PRESENT: *Black*

Proposal No. 492, 1994 was retitled GENERAL ORDINANCE NO. 129, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 129, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-267, Parking prohibited at all times on certain streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the deletion of the following, to wit:

30th Street, on the southside,  
from Elmira Street to a point 120 feet east of Elmira Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 493, 1994. The proposal, sponsored by Councillor Boyd, amends the Code by reducing the speed limit on 46th Street between Ritter Avenue and Shadeland Avenue (Districts 11, 14). Proposal No. 493, 1994 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT PRESENT: *Black*



Proposal No. 493, 1994 was retitled GENERAL ORDINANCE NO. 130, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 130, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-136, Alteration of prima facie speed limits.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-136, Alteration of prima facie speed limits, be, and the same is hereby amended by the deletion of the following, to wit:

40 MPH  
46th Street, from  
Ritter Avenue to Shadeland Avenue

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-136, Alteration of prima facie speed limits, be, and the same is hereby amended by the addition of the following, to wit:

35 MPH  
46th Street, from  
Ritter Avenue to Shadeland Avenue

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 494, 1994. The proposal, sponsored by Councillor Borst, amends the Code by authorizing a weight limit restriction on Thompson Road from Sandhurst Drive to Warman Avenue (District 25). Proposal No. 494, 1994 was adopted on the following roll call vote; viz:

27 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

1 NOT VOTING: Gray

1 NOT PRESENT: Black

Proposal No. 494, 1994 was retitled GENERAL ORDINANCE NO. 131, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 131, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-224, Trucks on certain streets restricted.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-224, Trucks on certain streets restricted, be, and the same is hereby amended by the addition of the following, to wit:

11,000 POUNDS GROSS WEIGHT  
Thompson Road, from  
Sandhurst Drive to Warman Avenue

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 495, 1994. The proposal, sponsored by Councillor Gray, amends the Code by authorizing a one-way traffic flow northbound on Melbourne Street from 56th Street to 58th Street (District 9). Proposal No. 495, 1994 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

0 NAYS:

2 NOT VOTING: *Jimison, Williams*

1 NOT PRESENT: *Black*

Proposal No. 495, 1994 was retitled GENERAL ORDINANCE NO. 132, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 132, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-166, One-way streets and alleys designated.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-166, One-way streets and alleys designated, be, and the same is hereby amended by the addition of the following, to wit:

NORTHBOUND  
Melbourne Street,  
from 56th Street to 58th Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**ANNOUNCEMENTS AND ADJOURNMENT**

Councillor Rhodes gave a report on his term as President of the National Association of Counties (NACo). He reminded the Councillors that the NACo conference will be September 25-27, 1994 at the Westin Hotel in Indianapolis.

Councillor Coughenour announced that the Public Works Committee will hold a hearing on the grass ban on September 29, 1994 at 5:00 p.m. in Room 260 in the City-County Building.

Councillor Jimison urged the Councillors to give to the United Way.

Councillor Boyd stated that he has been asked to offer the following motions for adjournment by:

- (1) Councillor Coughenour in memory of Francis Marion "Frank" Hendley II, and
- (2) Councillor Franklin in memory of Edward Edsel Berry.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Francis Marion "Frank" Hendley II and Edward Edsel Berry. He respectfully asked the support of fellow Councillors.



He further requested that the motions be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:55 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 12th day of September, 1994.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

*Burt Serwaas*

President

ATTEST:

*Sullen Hart*

Clerk of the Council

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, SEPTEMBER 28, 1994**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:15 p.m. on Monday, September 28, 1994, with Councillor SerVaas presiding.

Councillor Dowden led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*27 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
*2 ABSENT: Giffin, Jimison*

A quorum of twenty-seven members being present, the President called the meeting to order.

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Smith introduced his daughter Rachel. Councillor Ruhmkorff recognized Larry Buell who is running for the office of state representative. Councillor Hinkle introduced Mary Stull and Jason Holliday, representatives from Southwest Multi-Service Center, and Councillor Hinkle also acknowledged the presence of representatives from the Community Centers of Indianapolis. President SerVaas introduced Serhiy Sobolev and Oleg Demkiv, two visiting Fellows from the Ukraine.



## OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Wednesday, September 28, 1994, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Beurt SerVaas  
President, City-County Council

September 14, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Friday, September 16, 1994, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 479 and 480, 1994, to be held on Wednesday, September 28, 1994, at 7:00 p.m., in the City-County Building.

Respectfully,  
s/Suellen Hart  
Clerk of the City-County Council

September 15, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances and resolutions:

GENERAL ORDINANCE NO. 114, 1994 - amending the Code by authorizing a one-way traffic flow eastbound for Legrande Avenue from Perkins Avenue to Hobart Street

GENERAL ORDINANCE NO. 115, 1994 - amending the Code authorizing intersection controls for the Arlington Commons subdivision (District 23)

GENERAL ORDINANCE NO. 116, 1994 - amending the Code authorizing intersection controls for the Southport Crossing subdivision (District 24)

GENERAL ORDINANCE NO. 117, 1994 - amending the Code authorizing intersection controls for the Eagles Watch subdivision (District 1)

GENERAL ORDINANCE NO. 118, 1994 - amending the Code authorizing intersection controls for the Traders Hollow subdivision (District 1)

GENERAL ORDINANCE NO. 119, 1994 - amending the Code authorizing intersection controls for the Normandy Farms subdivision (District 1)

GENERAL ORDINANCE NO. 120, 1994 - amending the Code authorizing intersection controls for Deville Place subdivision (District 4)

GENERAL ORDINANCE NO. 121, 1994 - amending the Code authorizing intersection controls for the Ivy Ridge subdivision (District 4)

GENERAL ORDINANCE NO. 122, 1994 - amending the Code by authorizing intersection controls for Cumberland Estates Subdivision, Phases 2 and 3, Sections 1 and 2 (Districts 12, 13)

GENERAL ORDINANCE NO. 123, 1994 - amending the Code by authorizing intersection controls for Park Valley subdivision (District 12)

GENERAL ORDINANCE NO. 124, 1994 - amending the Code by authorizing intersection controls for Morningside subdivision (District 9)

GENERAL ORDINANCE NO. 125, 1994 - amending the Code by authorizing intersection controls for Oakforge Woods subdivision (District 9)

GENERAL ORDINANCE NO. 126, 1994 - amending the Code by authorizing stop signs at Arabian Run and Pinto Way, and at Dapple Trace and Sommerworth Lane (District 9)

GENERAL ORDINANCE NO. 127, 1994 - amending the Code authorizing a traffic signal at Zionsville Road and 74th Street (District 1)

GENERAL ORDINANCE NO. 128, 1994 - amending the Code by deleting the no parking anytime restriction on Illinois Street, on the eastside, from 39th Street to 40th Street (District 6)

GENERAL ORDINANCE NO. 129, 1994 - amending the Code by authorizing parking restrictions on 30th Street in the vicinity of Elmira Street (District 22)

GENERAL ORDINANCE NO. 130, 1994 - amending the Code by reducing the speed limit on 46th Street between Ritter Avenue and Shadeland Avenue (Districts 11, 14)

GENERAL ORDINANCE NO. 131, 1994 - amending the Code by authorizing a weight limit restriction on Thompson Road from Sandhurst Drive to Warmane Avenue (District 25)

GENERAL ORDINANCE NO. 132, 1994 - amending the Code by authorizing a one-way traffic flow northbound on Melbourne Street from 56th Street to 58th Street (District 9)

FISCAL ORDINANCE NO. 74, 1994 - an appropriation from the Cumulative Capital Development Fund in the amount of \$316,000 to pay jail rent for the County Sheriff and funded by reducing appropriations for the County Sheriff and the Court Administrator Agency

FISCAL ORDINANCE NO. 75, 1994 - an appropriation from the State and Federal Grants Fund in the amount of \$60,000 to pay overtime to officers working Project 55 for the County Sheriff financed by revenues from a state grant

FISCAL ORDINANCE NO. 76, 1994 - an appropriation from the State and Federal Grants Fund in the amount of \$9,830 to pay for personnel services for the Julian Center for the Marion County Justice Agency financed by revenues from a federal grant

FISCAL ORDINANCE NO. 77, 1994 - an appropriation from the Drug Free Community Fund in the amount of \$564,773 to provide various criminal justice, treatment and education programs promoting comprehensive local alcohol, tobacco and drug abuse prevention initiatives for the Marion County Justice Agency financed by unappropriated revenues

FISCAL ORDINANCE NO. 78, 1994 - an appropriation from the State and Federal Grants Fund in the amount of \$445,140 to pay salaries and other costs associated with law enforcement officers participating in the multi-jurisdictional pursuit of illegal drug activities for the County Auditor, Prosecuting Attorney, County Sheriff, and Marion County Justice Agency financed by revenues from a state grant

FISCAL ORDINANCE NO. 79, 1994 - an appropriation from the Supplemental Adult Probation Fees Fund in the amount of \$16,000 to fund increased telephone expenses and urine processing fees and to cover expenditures concerning office security, office operations and other special needs for the Superior Court, Criminal Division, Probation Department, financed by unappropriated revenues

FISCAL ORDINANCE NO. 80, 1994 - an appropriation from the Sanitation General Fund, Flood Control General Fund, Transportation General Fund and the Maintenance Operations General Fund in the amount of \$4,105,087 to fund the competitive bid process for the Department of Public Works (DPW), Maintenance Operations Division,



financed by transfers from the Sanitation General Fund, the Flood Control General Fund, and the Transportation General Fund within the Department of Capital Asset Management, Asset Management Division, and by contract revenues from DPW, Maintenance Operations Division's, Maintenance Operations General Fund

FISCAL ORDINANCE NO. 81, 1994 - an appropriation from the Consolidated County Fund in the amount of \$120,000 to pay for future contracts and consultant fees for competitive bid projects for the Department of Administration, Indianapolis Fleet Services Division, financed by a transfer within the division's budget

FISCAL ORDINANCE NO. 82, 1994 - an appropriation from the County General Fund in the amount of \$1,000 to cover miscellaneous and copier expenses for the Superior Court, Title IV-D Court, financed by a transfer within the court's budget

SPECIAL RESOLUTION NO. 63, 1994 - recognizing the Franklin Central High School Band

SPECIAL RESOLUTION NO. 64, 1994 - commemorating the anniversary of the United States Constitution

SPECIAL RESOLUTION NO. 65, 1994 - recognizing John R. Knox

Respectfully,  
s/Stephen Goldsmith, Mayor

### **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

### **APPROVAL OF JOURNALS**

President SerVaas called for additions or corrections to the Journal of September 12, 1994. There being no additions or corrections, the minutes were approved as distributed.

### **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 431, 1994. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 431, 1994 on September 20, 1994. The proposal approves the Mayor's appointment of Elaine E. Bedel as Director of the Department of Metropolitan Development for a term ending December 31, 1994. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Gilmer, for adoption.

Councillor Borst voiced his support of Ms. Bedel. The President introduced Ms. Bedel, who said she looks forward to working with all the Councillors.

Proposal No. 431, 1994 was adopted by unanimous voice vote. Proposal No. 431, 1994 was retitled COUNCIL RESOLUTION NO. 79, 1994 and reads as follows:

#### **CITY-COUNTY COUNCIL RESOLUTION NO. 79, 1994**

A COUNCIL RESOLUTION approving the Mayor's appointment of Elaine E. Bedel as Director of the Department of Metropolitan Development for a term ending December 31, 1994.

WHEREAS, pursuant to IC 36-3-5-2 and Sec. 231-11 of the "Revised Code of the Consolidated City and County, Indiana," a mayoral appointment of the Director of the Department of Metropolitan Development is subject to the approval of the City-County Council; and

September 28, 1994

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Elaine E. Bedel to serve as Director of the Department of Metropolitan Development at his pleasure for a term ending December 31, 1994; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Elaine E. Bedel is approved and confirmed by the City-County Council to serve as Director of the Department of Metropolitan Development at the pleasure of the Mayor for a term ending December 31, 1994.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 535, 1994. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 535, 1994 on September 22, 1994. The proposal reappoints Bernie Paul to the Air Pollution Control Board. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor McClamroch, for adoption. Proposal No. 535, 1994 was adopted by unanimous voice vote.

Proposal No. 535, 1994 was retitled COUNCIL RESOLUTION NO. 80, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 80, 1994

A COUNCIL RESOLUTION reappointing Bernie Paul to the Air Pollution Control Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Air Pollution Control Board, the Council appoints:

Bernie Paul

SECTION 2. The appointment made by this resolution is for a term ending June 4, 1998. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 546, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving the issuance of a note by the City for the purpose of making advancements to the City Market Corporation to pay all or a portion of certain utilities expenses for the City Market accrued during the term of the lease"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 547, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Property Reassessment Fund in the amount of \$786 to pay for necessary moving expenses for the Franklin Township Assessor financed by transferring other appropriations for that agency"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 548, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Metropolitan Development General Fund in the amount of \$200,000 to pay for the



development of the official reuse plan for Fort Benjamin Harrison financed by unappropriated revenues"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 549, 1994. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Revised Code to reflect the new organizational structure of the Department of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 550, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the State and Federal Grants Fund in the amount of \$13,950 to purchase supplies and Department Case Management Software for the Superior Court, Criminal Division, Probation Department, financed by transferring other appropriations for that agency"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 551, 1994. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the County General Fund in the amount of \$708 for the Superior Court, Criminal Division, Room Two, to pay for lease and maintenance expenses of copier equipment financed by transferring other appropriations for that court"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 552, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving the City's commitment to achieving the long-term state solid waste reduction goals of 35% by 1996 and 50% by 2001 by committing the necessary financial resources"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 553, 1994. Introduced by Councillors O'Dell and Ruhmkorff. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a traffic signal at Post Road and 18th Street (Districts 12, 13)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 554, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a traffic signal at East South County Line Road and Sherman Drive (District 24)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 555, 1994. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a traffic signal at Country Club Road and 21st Street (District 18)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 556, 1994. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a stop sign at McGregor Road and Joyce Street (District 23)"; and the President referred it to the Capital Asset Management Committee.



PROPOSAL NO. 557, 1994. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at New Jersey Street and 13th Street (District 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 558, 1994. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing changes in parking restrictions for various downtown streets (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 559, 1994. Introduced by Councillor Beadling. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a change in the speed limit on Sunnyside Road from 75th Street to Fox Road; and on Fox Road from Sunnyside Road to Oaklandon Road (District 5)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 560, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Revised Code by adding a new Chapter 295, Contracting Requirements"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 561, 1994. Introduced by Councillors Williams and West. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code to establish criteria for determining the eligibility of neighborhood development corporations and other nonprofit corporations for sales and grants of real property"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 562, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code dealing with the collection of grass"; and the President referred it to the Public Works Committee.

#### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 543, 1994. Councillor Borst reported that the Economic Development Committee heard Proposal No. 543, 1994 on September 28, 1994. The proposal amends S.R. 20, 1994 (Inducement Resolution for EPI Printers, Inc.) by (i) extending the expiration date to April 30, 1995; (ii) deleting the address of 7340 East 68th Street and replacing it with the address of 7502 East 86th Street; and (iii) revising the definition of the Applicant to include V.I.B., Inc. (District 3). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Franklin, for adoption. Proposal No. 543, 1994 was adopted on the following roll call vote; viz:

*23 YEAS: Beadling, Black, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith, West, Williams*

*0 NAYS:*

*4 NOT VOTING: Brents, Gray, Rhodes, Short*

*2 NOT PRESENT: Giffin, Jimison*



Proposal No. 543, 1994 was retitled SPECIAL RESOLUTION NO. 66, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 66, 1994

A SPECIAL RESOLUTION amending City-County Special Resolution No. 20, 1994 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 20, 1994 (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by EPI Printers, Inc. (the "Company") which Inducement Resolution set an expiration date of September 30, 1994 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, the Company has also advised the Indianapolis Economic Development Commission and the City that the real estate portion of the Project will now be developed and owned by V.I.B., Inc. and leased to the Company by V.I.B., Inc., that the correct address for the Project is now 7502 East 86th Street, Indianapolis, Indiana and that the project description contained in the Inducement Resolution remains unchanged in all other respects; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by (i) deleting the expiration date of September 30, 1994, contained therein and replacing said date with the date of April 30, 1995; (ii) deleting the address of 7340 East 68th Street, Indianapolis, Indiana and replacing it with 7502 East 86th Street, Indianapolis, Indiana; and (iii) revising the definition of the Applicant to include V.I.B., Inc. and the description of the Project to reflect that V.I.B., Inc. will now develop and own the real estate portion of the Project and will lease that portion of the Project to EPI Printers, Inc.

SECTION 2. The City-County Council further finds, determined, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 544, 1994. Councillor Borst reported that the Economic Development Committee heard Proposal No. 544, 1994 on September 28, 1994. The proposal is an Inducement Resolution for Comar, Inc. to proceed with the acquisition, construction, installation and equipping of an approximately 105,000 square foot building to be located in the 4600 block of West 84th Street on approximately 7.92 acres of land which will be used by the Applicant for the manufacturing of custom glass and plastic packaging for use in the pharmaceutical, medical, diagnostic, healthcare, and cosmetics industries; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (District 1). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Borst moved, seconded by Councillor Gilmer, for adoption. Proposal No. 544, 1994 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Short*

2 NOT PRESENT: *Giffin, Jimison*

Proposal No. 544, 1994 was retitled SPECIAL RESOLUTION NO. 67, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 67, 1994

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or the proceeds of the revenue bond issue may be loaned to the company and said facilities directly owned by the company;

WHEREAS, Comar, Inc. (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities consist of the acquisition, construction, installation and equipping of an approximately 105,000 square foot building to be located in the 4600 block of West 84th Street, Indianapolis, Indiana on approximately 7.92 acres of land which will be used by the Applicant for the manufacturing of custom glass and plastic packaging, including vials, closures, components, dropper assemblies and unit-dose dispensers for use in the pharmaceutical, medical, diagnostic, healthcare, and cosmetics industries; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (the "Project");

WHEREAS, the diversification of industry and the creation of opportunities for gainful employment (thirty-five (35) jobs at the end of one year and one hundred (100) at the end of three years plus the creation of a construction job payroll) and the creation of business opportunities to be achieved by the acquisition, construction, installation and equipping of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, the acquisition, construction, installation and equipping of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the creation of opportunities for gainful employment within the jurisdiction of the Issuer, is desirable, serves a public purpose, and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the creation of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed Seven Million Five Hundred Thousand Dollars (\$7,500,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, construction, installation and equipping of the Project will serve the public purposes referred to above in accordance with the Act.



SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires April 30, 1995, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) if applicable, the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the date which is sixty (60) days prior to the adoption of this resolution, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the same purpose. Also certain indirect expenses incurred prior to such date will be permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (TD 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Section 1.150-2.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 563, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on September 20, 1994." The Council did not schedule Proposal No. 563, 1994 for hearing pursuant to IC 36-7-4-608. Proposal No. 563, 1994 was retitled REZONING ORDINANCE NO. 123, 1994 and is identified as follows:

REZONING ORDINANCE NO. 123, 1994. 94-Z-48 WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 17.  
4152 WEST WASHINGTON STREET (approximate address), INDIANAPOLIS.  
DREYER HONDA/YAMAHA/SUZUKI request the rezoning of 0.888 acre, being in the D-5 District, to the C-7 classification to provide for the storage of motorcycles.

PROPOSAL NO. 564, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on September 20, 1994." The Council did not schedule Proposal No. 564, 1994 for hearing pursuant to IC 36-7-4-608. Proposal No. 564, 1994 was retitled REZONING ORDINANCE NO. 124, 1994 and is identified as follows:

REZONING ORDINANCE NO. 124, 1994. 94-Z-139 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 11.  
3701 EAST 38TH STREET (approximate address), INDIANAPOLIS.

September 28, 1994

TOM JUNG, by Mitch Sever, requests the rezoning of 0.40 acre, being in the D-5 District, to the C-4 classification to provide for commercial use.

PROPOSAL NOS. 565-569, 1994. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on September 26, 1994." The Council did not schedule Proposal Nos. 565-569, 1994 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 565-569, 1994 were retitled REZONING ORDINANCE NOS. 125-129, 1994 and are identified as follows:

REZONING ORDINANCE NO. 125, 1994. 94-Z-44 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 16.

414 WEST NORTH STREET (approximate address), INDIANAPOLIS.

REAL ESTATE SERVICES DIVISION requests the rezoning of 3.88 acres, being in the I-3-U and C-3 District, to the CBD-S classification to provide for multi-family residential apartments, consisting of 125 units.

REZONING ORDINANCE NO. 126, 1994. 94-Z-120 PERRY TOWNSHIP.  
COUNCILMANIC DISTRICT # 24.

3611 SOUTH SHERMAN DRIVE (approximate address), INDIANAPOLIS.

APEX OIL COMPANY, INC., by James W. Beatty, requests the rezoning of 28.008 acres, being in the D-6(FF)(FW) and D-A(FF)(FW) Districts, to the D-4 (FF)(FW) classification to provide for a single-family residential subdivision development.

REZONING ORDINANCE NO. 127, 1994. 94-Z-125 WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 18.

3260 SALT LAKE ROAD (approximate address), INDIANAPOLIS.

STEPHEN J. KESLER, by Michael D. Keele, requests the rezoning of 9.31 acres, being in the D-A(FF) District, to the D-2(FF) classification to provide for single-family residential development.

REZONING ORDINANCE NO. 128, 1994. 94-Z-145 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 17.

101 SOUTH BELMONT STREET (approximate address), INDIANAPOLIS.

DONALD J. and MARSH J. THARP, by Peter D. Cleveland, request the rezoning of 0.88 acre, being in the D-5 District, to the C-4 classification to provide for a medical and retail commercial center.

REZONING ORDINANCE NO. 129, 1994. 94-Z-149 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 22.

1610, 1614, 1620 and 1624 NORTH ALABAMA STREET (approximate address), INDIANAPOLIS.

DEPARTMENT OF METROPOLITAN DEVELOPMENT requests the rezoning of 0.57 acres, being in the C-4 District, to the D-8 classification to promote the maintenance, redevelopment and new development of residences in accordance with the Citizens Neighborhood Plan and the Herron-Morton Historic Preservation Plan and to conform zoning with the present use of the property as residential.

## **SPECIAL ORDERS - PUBLIC HEARING**

### **COMMITTEE OF THE WHOLE**

The President said that at this time the chairpersons of each committee will give their committee reports on the budgets. After the committee reports, public testimony will be allowed and then each budget will be voted upon.

Councillor McClamroch read the following list of budgets:

Proposal No. 456, 1994 - Police Special Service District

Proposal No. 457, 1994 - Fire Special Service District

Proposal No. 458, 1994 - Solid Waste Collection Special Service District

Proposal No. 459, 1994 - Public Housing Division

Proposal No. 460, 1994 - Revenue Bonds Debt Service Funds



Proposal No. 461, 1994 - Marion County Office of Family and Children  
Proposal No. 462, 1994 - Metropolitan Emergency Communications Agency  
Proposal No. 463, 1994 - Combined Indianapolis and Marion County Budgets  
Proposal No. 497, 1994 - Airport Authority  
Proposal No. 498, 1994 - Capital Improvement Board  
Proposal No. 499, 1994 - Health and Hospital Corporation  
Proposal No. 500, 1994 - Indianapolis-Marion County Public Library Board  
Proposal No. 501, 1994 - Indianapolis Public Transportation Corporation

Councillor McClamroch said that also included in the list of budgets should be Proposal No. 479, 1994, which is an appropriation to cover IPD and IFD needs from the Sanitation PILOT Reserve Fund.

The President asked the chairpersons to give their reports.

Councillor Rhodes, Chairman of the Administration and Finance Committee, reported that this Committee heard Proposal No. 460, 1994 on August 15 and September 19, 1994. On September 19, 1994, by a 5-1 vote, the Committee reported Proposal No. 460, 1994 to the Council with the recommendation that it do pass as amended. Councillor Rhodes reported that the Administration and Finance Committee heard its portion of Proposal No. 463, 1994 on August 15 and 29, and on September 13 and 19, 1994. On September 19, 1994, the Committee reported its portion of Proposal No. 463, 1994 to the Council with the recommendation that it do pass as amended.

Councillor Gilmer, Chairman of the Capital Asset Management Committee, reported that this Committee heard its portion of Proposal No. 463, 1994 on August 17 and 31 and on September 7 and 21, 1994. On September 21, 1994, by a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor O'Dell, Chairman of the Community Affairs Committee, reported that this Committee heard Proposal No. 461, 1994 and its portion of Proposal No. 463, 1994 on August 10 and 23, and on September 21, 1994. On September 21, 1994, by a 7-0 vote, the Committee reported Proposal No. 461, 1994 to the Council with the recommendation that it do pass as amended. The Committee voted to report the budget for the Office of Youth and Family Services, which is part of Proposal No. 463, 1994, to the Council with no recommendation. On September 21, 1994, the Committee reported the remaining portion of Proposal No. 463, 1994 to the Council with the recommendation that it do pass as amended.

Councillor Borst, Chairman of the Economic Development Committee, reported that the Committee met on September 1 and 28, 1994 to hear all the revenues. He said that for the first time in a number of years the 1995 Budget is a balanced budget. At the September 28, 1994 meeting a Jail Expansion Reserve Fund was established in the amount of \$2,500,000.

Councillor West, Chairman of the Metropolitan Development Committee, reported that the Committee heard Proposal No. 459, 1994 and the Committee's portion of Proposal No. 463, 1994 on August 9, 16 and 30 and on September 13 and 20, 1994. On September 20, 1994, by a 6-0 vote, the Committee reported Proposal No. 459, 1994 to the Council with the recommendation that it do pass as amended. On September 20, 1994, the Committee reported



its portion of Proposal No. 463, 1994 to the Council with the recommendation that it do pass as amended.

Councillor Dowden, Chairman of the Public Safety and Criminal Justice Committee, reported that the Committee heard Proposal Nos. 456, 457 and 462, 1994 and its portion of Proposal No. 463, 1994 on August 17 and 31 and on September 7 and 21, 1994. On September 21, 1994, by 6-0 votes, the Committee reported Proposal Nos. 457, 462 and its portion of Proposal No. 463, 1994 to the Council with the recommendation that they do pass as amended. On September 21, 1994, by a 5-0-1 vote, the Committee reported Proposal No. 456, 1994 to the Council with the recommendation that it do pass as amended.

Councillor Schneider, Chairman of the Municipal Corporations Committee, reported that this Committee heard Proposal Nos. 497, 498, 499, 500 and 501, 1994 on August 11 and 23 and on September 8 and 20, 1994. On September 20, 1994, by 6-0 votes, the Committee reported Proposal Nos. 497 and 498, 1994 to the Council with the recommendation that they do pass. On September 20, 1994, by a 6-0-1 vote, the Committee reported Proposal No. 499, 1994 to the Council for action without recommendation. On September 20, 1994, by a 7-0 vote, the Committee reported Proposal No. 500, 1994 to the Council with the recommendation that it do pass as amended. On September 20, 1994, by a 5-2 vote, the Committee reported Proposal No. 501, 1994 to the Council with the recommendation that it do pass.

Councillor Coughenour, Chairwoman of the Public Works Committee, reported that this Committee heard Proposal No. 458, 1994 and its portion of Proposal No. 463, 1994 on August 11 and 25 and on September 8, 15 and 22, 1994. On September 22, 1994, by 6-0 votes, the Committee reported Proposal Nos. 458 and its portion of Proposal No. 463, 1994 to the Council with the recommendation that they do pass.

Councillor Curry, Chairman of the Rules and Public Policy Committee, reported that the Rules and Public Policy Committee heard Proposal No. 479, 1994 on September 13, 1994. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor O'Dell, in Councillor Giffin's absence, reported that the Parks and Recreation Committee heard its portion of Proposal No. 463, 1994 on August 18 and on September 1 and 14, 1994. On September 14, 1994, by a 6-0 vote, the Committee reported its portion of Proposal No. 463, 1994 to the Council with the recommendation that it do pass as amended.

The President called for public testimony on the budgets at approximately 8:30 p.m.

Earline Moore, Executive Director, Community Centers of Indianapolis (CCI), stated that CCI is a federation of multi-service centers which provides county-wide access services. Access services help clients cope with emergencies and, by networking with other service providers, help clients get to other sources of help so they may become self-sufficient. The City of Indianapolis, State of Indiana and United Way are funding partners of CCI. CCI is now concerned that the City will decrease or shift funds allocated to its access services. Ms. Moore said that CCI would like to work with the City to accomplish shared objectives of serving those in need in the community.



Councillor Boyd asked where specifically is the CCI budget located in the 1995 City-County Budget. When the Council members cast their votes for the 1995 City-County Budget, Councillor Boyd also asked (1) is the Council voting for the administration's new concept for CCI and its clients, or (2) is the Council voting for a 1995 budget for CCI, and if so, will the Council still have an opportunity to be involved in the decision-making process concerning the City's new initiatives.

The President said that he believes Councillor Boyd's second option is the intent of the administration. Councillor O'Dell said that CCI's budget is included in the Office of Youth and Family Services' budget.

Councillor Hinkle asked that the administration clarify the Family Self-Sufficiency RFP (Request for Proposal) process. Also he would like the administration to produce a consensus on that process; if there is no consensus, that it would then be at the Council's discretion via the Community Affairs Committee that the moneys revert back to the status quo system. Councillor Hinkle said that CCI depends on the City's funding and should not be left in "limbo." A revised system could then be established in 1995 to achieve successfully what the administration is trying to do for eligible unemployed or underemployed parents.

Joseph Loftus, Deputy Mayor, stated that the administration is proposing that a portion of the funding for CCI--those funds that heretofore have been used for access services--be distributed based on performance-based contracts that will very clearly define specific outcomes that will determine what the City is willing to fund. Those specific outcomes are successful job-placements. Prior to the distribution of any funds, the City will go through an RFP process. In designing the RFP, the City expects that a successful proposal will include a partnership with a multi-service center so that these centers are not excluded from this proposed distribution of funding. Mr. Loftus also stated that four Councillors have been willing to participate in this RFP process. He said that the administration will not spend any of the funds in the Youth and Family Services budget without the Council's approval.

Councillor Boyd read the following motion:

Mr. President:

Inasmuch as the City-County Council and its various Committees spent significant time in establishing the structure, operations, and philosophy of Community Centers of Indianapolis, and there appearing to be ample evidence that there is confusion about some new initiatives for Community Centers of Indianapolis, I move on behalf of the Democratic Caucus, that the City-County Council have a hearing at its next regular scheduled meeting to ascertain the operations, structure, and philosophy of Community Centers of Indianapolis.

Councillor Short seconded this motion.

Councillor Boyd stated that the City-County Council in the early 1980's sat through many, many hours of testimony and meetings to gather information which eventually resulted in the structure of CCI. He said that if the delivery of some human services in this community is going to be re-structured that it should be done after significant deliberation by this Council.

Councillor Hinkle offered a friendly amendment to Councillor Boyd's motion. Councillor Hinkle moved that the Community Affairs Committee have the hearing and then report to the City-County Council at its November 28, 1994 meeting. Councillor Boyd stated that if the

administration would not do something permanent in the interim, he would consider that a friendly amendment.

Councillor Hinkle asked if the administration could make that commitment. Mr. Loftus answered in the affirmative.

Councillor Short seconded Councillor Hinkle's motion.

The President asked Councillor Boyd what sort of action did he anticipate would be taken when this report comes before the Council. Councillor Boyd said that it would be his assumption that after the Committee met there would be some recommendations brought back to this Council and this Council would then respond to those recommendations.

Councillor McClamroch voiced his support of Councillor Boyd's motion and Councillor Hinkle's amendment to that motion. He said it is a complicated issue and the Council deserves more of an explanation about this matter.

Councillor Franklin said that he is one of the four Councillors on the City's RFP task force. One of the advantages of being on this task force is to help insure that there is no interruption of services provided by CCI while trying to decide how to best serve their clients and the Councillors' constituents. His understanding of this process is that if the RFPs are inadequate that the same system will be left in place.

Councillor Golc stated that he believes it would make more sense if the RFPs were drafted after the Community Affairs Committee made their report to the Council on the CCI matter. He also said that he hopes the City takes into consideration that people have other needs besides employment needs when making a decision on an RFP.

Councillor West said that he believes the administration should work with the "wheel" it has rather than inventing a "new wheel." Councillor West feels that the City could put the desired performance measurements into effect without disrupting this group the City already has working. The City could do more if it would allow participation by CCI, who is already serving these client populations. Councillor West said he supports the motion that Councillor Boyd initiated and that Councillor Hinkle has amended.

Councillor Gray asked if this type of program has any kind of track record. Mr. Loftus replied that the job training program has been successful. The City has effectively moved toward performance-based contracts and is assured of a level of accountability in terms of knowing exactly what the dollars are used for.

Councillor Moriarty Adams said that she is one of the four Councillors on this task force and she will go into the process with no preconceived ideas and she intends to approach this with an open mind. She encouraged all Councillors with an interest in CCI to attend those meetings that will involve CCI.

Councillor Short said he would like the assurance that during this process the City will not do anything until the report comes back to the Council.



Mr. Loftus said that the administration will work very closely with CCI and the Council and he re-stated the commitment that the City will not spend a dime of those funds without the Council's participation in the decision.

Councillor Hinkle said that work-placement is not a new concept to CCI, but some people are not placeable. He believes that CCI should still be funded so that they can help this type of person. He also said he wants to make sure that all clients and/or centers that are participating in CCI are protected with an adequate safety net during any transition to a new system.

The President asked that Councillor Boyd's original motion with Councillor Hinkle's amendment be read.

Peggy Stawick, Deputy Clerk of the Council, read the following version of the motion:

Inasmuch as the City-County Council and its various Committees spent significant time in establishing the structure, operations, and philosophy of Community Centers of Indianapolis, and there appearing to be ample evidence that there is confusion about some new initiatives for Community Centers of Indianapolis, I move that the Community Affairs Committee have a hearing to ascertain the operations, structure, and philosophy of Community Centers of Indianapolis and bring a full report before the City-County Council at its November 28, 1994 meeting.

This motion passed by a majority voice vote.

Harold Anderson, President, Marion County Alliance of Neighborhood Associations, testified that he has not heard from anyone that CCI does not work, and he questioned why the City wants to fix it. He asked that the Council take a very close look at what the City is trying to do and make sure that these people served by CCI do not suffer.

Councillor Ruhmkorff stated that the City's grand total of Object 367, Contractual Consultants, has increased from \$14,718,029 in the 1994 revised budget, to \$19,820,495 in this year's proposed budget. This is a \$5 million increase in a single year. She moved that Object 367 in all City departments be adjusted back to their 1994 revised budget amounts. Councillor Boyd seconded that motion.

Councillor McClamroch said that on close analysis Object 367 did not increase because of the additional consultants, it increased because of a different way of budgeting Character 03 items in general. If Object 367 is reduced to 1994's budget, not only will the consultant contracts be cut, but also the PILOT project, the E-911 increase and the implementation of the 20-year Solid Waste Plan. He urged the Councillors to vote against Councillor Ruhmkorff's motion.

Councillor Curry stated that he is also against Councillor Ruhmkorff's motion, because after careful examination this is not an increase in an individual object number, it is a merger of object numbers. Councillor Short said he agrees with both Councillors McClamroch and Curry and will vote against the motion to amend.

Councillor O'Dell voiced his support of the motion because he would like to have more of a discussion on consultant contracts.

Councillor Beadling said she would have to know exactly where the money would be cut before she could vote for this motion. Councillors Borst and Franklin stated that they will vote against this motion.

Councillor Ruhmkorff's motion failed by the following roll call vote; viz:

*10 YEAS: Black, Boyd, Brents, Golc, Gray, Jones, Moriarty Adams, O'Dell, Ruhmkorff, Williams*  
*17 NAYS: Beadling, Borst, Coughenour, Curry, Dowden, Franklin, Gilmer, Hinkle, McClamroch, Mullin, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, West*  
*2 NOT PRESENT: Giffin, Jimison*

Councillor Ruhmkorff stated that she learned during a budget hearing that nine Fellows have been hired under the Mayor's Fellows Program. She asked where are they listed in the budget. James H. Steele, City Controller, said that he currently has three, but next year he will only be budgeted for one. The other Fellows are not listed separately but are included under Personnel Services in respective agencies' budgets. Councillor Ruhmkorff requested that the Mayor's Office distribute a written report to all the Councillors within thirty days on the Mayor's Fellows Program, outlining where the Fellows are located and how much they are being paid.

The President stated that the budgets will be voted on at this time including Proposal No. 479, 1994.

PROPOSAL NO. 479, 1994. The proposal, sponsored by Councillor McClamroch, is an appropriation to cover short-term IPD and IFD needs and to help cover the unfunded future liabilities of IPD and IFD Pensions for the Office of the Controller from the Sanitation PILOT Reserve Fund in the amount of \$4,400,000 financed by revenues from that fund.

Councillors Smith, Moriarty Adams and Gray asked for consent to abstain from voting due to conflicts of interest. Consent was given.

Councillors Coughenour and Williams said they will vote against this proposal because of the funding source.

Councillor West asked if other State municipalities who operate utilities have PILOT rights and use them. Mr. Steele responded that the majority of cities in the State take payments in lieu of taxes from utilities.

Councillor Borst said that he also disagrees with the source of funding for this proposal, but will vote for it because he has been told that it is a temporary measure and it is the City's intent to repay these funds to the user fee fund.

Proposal No. 479, 1994, as amended, was adopted on the following roll call vote; viz:

*20 YEAS: Beadling, Black, Borst, Boyd, Curry, Dowden, Franklin, Gilmer, Golc, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, West*  
*4 NAYS: Brents, Coughenour, Hinkle, Williams*  
*3 NOT VOTING: Gray, Moriarty Adams, Smith*  
*2 NOT PRESENT: Giffin, Jimison*



Councillors Boyd, Hinkle and Rhodes asked for consent to explain their votes. Consent was given.

Councillor Boyd said that a sewer user fee is legitimate fee for a church to pay as long as the moneys being collected are used to offset the actual cost of hooking into a sewer. If on the other hand, the user fee is used to support something which ordinarily would be supported by tax dollars then that in effect becomes a way of taxing a church. He said that he believes the City needs to bear this in mind and also the possibility of litigation.

Councillor Hinkle said that the administration should be applauded for its courage to explore new ways to generate revenue without raising taxes. The problem with Proposal No. 479, 1994 is that it does not take the concept far enough. PILOT is a great concept and it needs to be extended to include non-tax entities which benefit from City's services and infrastructure. Entities such as the Capital Improvement Board and the Indianapolis Airport Authority. These new revenues could then be used with other dollars for the commitments to United Airlines, a solvent Police and Fire Pension Fund as well as correcting the present problems with an outdated and overworked sewer system. The firemen and policemen in this City are the best in the world, and his vote against this proposal in no way should reflect on them or his opinions towards them.

Councillor Rhodes said that the concept of PILOT on a national basis is a program that is currently before the Congress. That program envisions all federal lands, federal buildings, and federal installations that are not taxed to pay some type of fee for local government services. He supports this proposal because he thinks it is a step in the right direction, but he also believes the administration needs to look at not only the municipal facilities, but the state facilities, the other not-for-profits, i.e., hospitals.

The President asked Councillor Borst to have the Economic Development Committee look into this issue of finding the least sensitive funds for some of the most pressing problems.

Proposal No. 479, 1994, as amended, was retitled FISCAL ORDINANCE NO. 83, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 83, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Four Million Four Hundred Thousand Dollars (\$4,400,000) in the Sanitation PILOT Reserve Fund for purposes of the Office of the Controller and reducing the unappropriated and unencumbered balance in the Sanitation PILOT Reserve Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01.(f) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Office of the Controller to cover short-term Police and Fire needs and to help cover the unfunded future liabilities of Police and Fire Pensions through the establishment of a payment in lieu of taxes (PILOT) on the wastewater treatment facility.

SECTION 2. The sum of Four Million Four Hundred Thousand Dollars (\$4,400,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

September 28, 1994

SECTION 3. The following additional appropriation is hereby approved:

<u>OFFICE OF THE CONTROLLER</u>	<u>SANITATION PILOT RESERVE FUND</u>
3. Other Services and Charges	<u>4,400,000</u>
TOTAL INCREASE	4,400,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>SANITATION PILOT RESERVE FUND</u>
Unappropriated and Unencumbered	
Sanitation PILOT Reserve Fund	<u>4,400,000</u>
TOTAL REDUCTION	4,400,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

### **POLICE SPECIAL SERVICE DISTRICT**

A quorum being present, the President called the Police Special Service District Council to order at 10:12 p.m.

PROPOSAL NO. 456, 1994. The proposal is the annual budget for the Police Special Service District for 1995.

Councillor Moriarty Adams said that she will abstain from voting on Proposal No. 456, 1994 due to the appearance of a conflict of interest.

Proposal No. 456, 1994, as amended, was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Moriarty Adams*

2 NOT PRESENT: *Giffin, Jimison*

Proposal No. 456, 1994 was retitled POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1994 and reads as follows:

#### **POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1994**

A POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE creating the annual budget of the Police Special Service District of the City of Indianapolis, Indiana, for the fiscal year beginning January 1, 1995 and ending December 31, 1995, appropriating monies for the purpose of defraying the expenses and all outstanding claims and obligations of said Police District and the Police Pension Fund, fixing and establishing the annual rate of taxation and tax levy for the year 1995 for each fund for which a special tax levy is authorized, and fixing a time when this ordinance shall take effect.

BE IT ORDAINED BY THE POLICE SPECIAL SERVICE DISTRICT COUNCIL  
OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. For the expenses of the Police Force of the City of Indianapolis for the fiscal year beginning January 1, 1995 and ending December 31, 1995, the sums of money herein set out are hereby appropriated and ordered set apart out of the Police Service District Fund for the purposes herein specified, subject to the law governing the same:



1995 ANNUAL BUDGET  
DEPARTMENT OF PUBLIC SAFETY  
POLICE DIVISION

	ORIGINAL PUBLISHED BUDGET APPROPRIATION	BUDGET APPROVED BY CITY-COUNTY COUNCIL
DEPARTMENT OF PUBLIC SAFETY		
Police Division		
1. Personal Services	55,972,339	55,972,339
2. Supplies	1,178,443	1,245,763
3. Other Services and Charges	10,177,145	10,229,975
4. Capital Outlay	860,028	861,228
TOTAL	68,187,955	68,309,305

SECTION 2. For the expenses and obligations of the Police Pension of the City of Indianapolis, for the fiscal year beginning January 1, 1995 and ending December 31, 1995, the sums of money herein set out are hereby appropriated and ordered set apart out of the Police Pension Fund for the purposes herein specified, subject to the law governing the same:

DEPARTMENT OF PUBLIC SAFETY		POLICE PENSION FUND
Police Division		
1. Personal Services	23,874,945	23,874,945
2. Supplies	1,500	1,500
3. Other Services and Charges	80,666	80,666
4. Capital Outlay		
TOTAL	23,957,111	23,957,111

SECTION 3. (a) The salaries, wages, and compensation of the various officers and employees of the Police Special Service District for the ensuing year are now fixed and approved as follows: (i) for all classified personnel of the Police Special Service District in accordance with schedule set forth in the Mayor's Executive Order No. 9, 1994, and (ii) for all merit police officers in accordance with the applicable labor agreements approved by the Mayor. Such compensation shall not be increased without approval of the Council or as provided in such wage and salary classification ordinance as may from time to time be adopted for employees of the Police Special Service District.

(b) The respective amounts herein specified for personal services are hereby appropriated therefor; provided, however, that no person, official, or employee whose salary or compensation has been approved as part of the "Personal Services" appropriations in this ordinance, or any ordinance hereafter adopted, shall have any vested right to receive such amount, except as may be accrued, or otherwise provided by statute. Control as to any decrease shall be vested in the body or executive having direction over the one affected, as provided by law. Provided that, certain employees classified as "exempt" for the purposes of the Fair Labor Standards Act shall be salaried employees, and such salaries shall be paid on an annualized basis. Exempt salaried employees shall, however, be required to work a regularly scheduled 40-hour week. Provided further, that the compensation of employees classified as "non-exempt" for the purposes of the Act may fluctuate from pay period to pay period, in accordance with actual hours worked. Non-exempt employees shall also be required to work a regularly scheduled 40-hour week. Wages and hours of uniformed employees shall be determined in accordance with applicable provisions of the Fair Labor Standards Act.

SECTION 4. To defray the costs of government of the Police Special Service District in accordance with the appropriations stated in sections 1 and 2 of this ordinance, certain anticipated and estimated revenues are allocated as follows:

(a) The Police Service District Fund for 1995 shall consist of all balances as of the end of fiscal 1994 available for transfer into said fund, all miscellaneous revenues derived from sources connected with the operation of the Police Force, including traffic fines and intergovernmental reimbursements, Police Training Fund Transfers, Court Docket Fees, portions of the receipts from the County Option Income Tax allocated to this fund, the allocation of PILOT to this fund, those distributions of taxes allocated by state law on the basis of property taxes levied and assessed as this fund, and all amounts received by the levy of a rate of tax for this fund on all taxable property located in the Police Special Service District by virtue of section 5 of this ordinance.

(b) The Police Pension Fund for 1995 shall consist of all balances at the end of fiscal 1994 available for transfer into said fund, all miscellaneous revenues derived from sources connected with the operation of the Police Pension Fund, amounts allocated herein from the Supplemental Pension Trust, portions of the receipts from the County Option Income Tax allocated to this fund, the allocation of PILOT to this fund, those distributions of taxes allocated by state law on the basis of property taxes levied and assessed as this fund, all amounts received by the levy of a rate tax for this fund on all taxable property located in the Police Special Service District by virtue of section 5 of this ordinance.

SECTION 5. There is hereby levied and assessed or confirmed as may be required by law on all real estate and improvements and all business personal property of whatever description, tangible and intangible, and choses in action of every kind and character in the Police Special Service District of the City of Indianapolis, as assessed and returned for taxation in said District for the year 1994, payable in 1995, a tax rate of One dollar twenty-eight and eight hundredths cents (\$1.2808) for the Police Special Service District Fund on each one hundred dollars (\$100.00) valuation of such special service district taxable property, and seventeen and sixty-five hundredths cents (\$0.1765) for Police Pension Fund on each one hundred dollars (\$100.00) valuation of such special service district taxable property.

SECTION 6. The budget of said special service district shall be carried out with the revenues from taxation provided from the several tax levies fixed in this ordinance, and the miscellaneous receipts of said funds and with the use of portions of current balances, all as indicated on the following tables:

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
POLICE SERVICE DISTRICT FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
<u>SPECIAL TAXES</u>		
Financial Institution Tax	447,870	898,053
License Excise Tax	1,081,950	2,591,429
County Option Income Tax	10,990,000	23,900,000
PILOT	1,850,000	1,950,000
<u>ALL OTHER REVENUE</u>		
Licenses & Permits	40,000	150,000
Charges for Services	530,939	1,130,303
Intergovernmental	50,000	200,000
Sale and Lease of Property	120,136	78,000
Fees for Service	114,000	225,000
Fines & Penalties	788,930	1,860,000
Miscellaneous	150,000	1,073,000
Transfer In-Law Enforcement Trg Fund	<u>40,000</u>	<u>80,000</u>
<b>TOTAL</b>	<b>16,203,825</b>	<b>34,135,785</b>

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
POLICE PENSION FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
<u>SPECIAL TAXES</u>		
Financial Institution Tax	62,053	124,106
License Excise Tax	149,906	358,122
COIT	2,057,501	4,115,000
PILOT	250,000	250,000



*Journal of the City-County Council*

ALL OTHER REVENUE

Intergovernment	4,617,722	9,698,000
Miscellaneous	25,000	55,000
Trust & Agency	<u>1,874,440</u>	<u>4,825,810</u>
TOTAL	9,036,622	19,426,038

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

POLICE SERVICE DISTRICT FUND

1995 NET ASSESSED VALUATION \$2,794,676,945

1994 BILLED NET ASSESSED VALUATION \$2,702,881,770

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	2,035,312	2,035,312
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	35,516,979	35,516,979
3. Additional appropriations necessary to be made July 1 to December 31 of present year	0	0
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	0	0
5. Total expenditures for current year (add lines 2-4)	35,516,979	35,516,979
6. Remaining property taxes to be collected present year	18,069,952	18,069,952
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	16,153,825	16,203,825
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	34,223,777	34,223,777
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	742,110	792,110
10. Total budget estimate for January 1 to December 31 of incoming year	68,187,955	68,309,305
11. Miscellaneous revenue for January 1 to December 31 of incoming year	34,085,785	34,135,785
12. Property tax to be raised from January 1 to December 31 of incoming year	33,901,259	35,794,222
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	0	0
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	541,199	2,412,812
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	1.2775	1.2775
Proposed tax rate for incoming year	1.2808	1.2808

September 28, 1994

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

POLICE PENSION FUND

1995 NET ASSESSED VALUATION \$2,794,676,945

1994 BILLED NET ASSESSED VALUATION \$2,702,881,770

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	873,176	873,176
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	11,402,000	11,402,000
3. Additional appropriations necessary to be made July 1 to December 31 of present year	0	0
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	0	0
5. Total expenditures for current year (add lines 2-4)	11,402,000	11,402,000
6. Remaining property taxes to be collected present year	2,503,626	2,503,626
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	8,886,622	9,036,622
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	11,390,248	11,390,248
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	861,424	1,011,424
10. Total budget estimate for January 1 to December 31 of incoming year	23,957,111	23,957,111
11. Miscellaneous revenue for January 1 to December 31 of incoming year	19,276,038	19,426,038
12. Property tax to be raised from January 1 to December 31 of incoming year	4,684,980	4,946,578
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	0	0
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	865,331	426,929
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.1770	0.1770
Proposed tax rate for incoming year	0.1770	0.1770

SECTION 7.

SUMMARIES OF APPROPRIATIONS, MISCELLANEOUS REVENUE, TAX LEVIES, NET ASSESSED VALUE AND TAX RATE					
Fund	Approp.	Misc. Revenue	Tax Levy	Net Ass. Value	Tax Rate
Police General	68,309,305	34,135,785	35,794,222	2,794,676,945	1.2808
Police Pension	23,957,111	19,426,038	4,946,578	2,794,676,945	0.1770
TOTAL	92,266,416	53,561,823	40,740,800		1.4578



SECTION 8. The Auditor of Marion County, be, and he is hereby ordered and directed to place the aforesaid tax levies upon the property tax duplicates; and the County Treasurer of such county, ex-officio city treasurer, be and he is hereby ordered and directed to collect the same for the Police Special Service District of the City of Indianapolis, and make due report thereof as provided by law.

SECTION 9. This ordinance shall be in full force and effect beginning January 1, 1995, after passage by the Police Special Service District Council, approval by the Mayor, and approval by the Tax Boards as required by law.

### **FIRE SPECIAL SERVICE DISTRICT**

A quorum being present, the President called the Fire Special Service District Council to order at 10:13 p.m.

PROPOSAL NO. 457, 1994. The proposal is the annual budget for the Fire Special Service District for 1995.

Councillor Gray stated he will abstain from voting on Proposal No. 457, 1994 due to a conflict of interest.

Proposal No. 457, 1994, as amended, was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Gray*

2 NOT PRESENT: *Giffin, Jimison*

Proposal No. 457, 1994 was retitled FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1994 and reads as follows:

#### **FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1994**

A FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE creating the annual budget of the Fire Special Service District of the City of Indianapolis, Indiana, for the fiscal year beginning January 1, 1995 and ending December 31, 1995, appropriating monies for the purpose of defraying the expenses and all outstanding claims and obligations of said Fire District and the Fire Pension Fund, fixing and establishing the annual rate of taxation and tax levy for the year 1995 for each fund for which a special tax levy is authorized, and fixing a time when this ordinance shall take effect.

BE IT ORDAINED BY THE FIRE SPECIAL SERVICE DISTRICT COUNCIL  
OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. For the expenses of the Fire Force of the City of Indianapolis for the fiscal year beginning January 1, 1995, and ending December 31, 1995, the sums of money herein set out are hereby appropriated and ordered set apart out of the Fire Service District Fund for the purposes herein specified, subject to the law governing the same:

September 28, 1994

1995 ANNUAL BUDGET  
DEPARTMENT OF PUBLIC SAFETY  
FIRE DIVISION

	ORIGINAL PUBLISHED BUDGET <u>APPROPRIATION</u>	BUDGET APPROVED BY CITY-COUNTY <u>COUNCIL</u>
DEPARTMENT OF PUBLIC SAFETY	FIRE SERVICE DISTRICT FUND	
Fire Division		
1. Personal Services	35,869,549	35,869,549
2. Supplies	1,413,793	1,413,793
3. Other Services and Charges	3,754,073	3,754,073
4. Capital Outlay	<u>1,551,677</u>	<u>1,551,677</u>
TOTAL	42,589,092	42,589,092

SECTION 2. For the expenses and obligations of the Fire Pension of the City of Indianapolis, for the fiscal year beginning January 1, 1995 and ending December 31, 1995, the sums of money herein set out are hereby appropriated and ordered set apart out of the Fire Pension Fund for the purposes herein specified, subject to the law governing the same:

DEPARTMENT OF PUBLIC SAFETY	FIRE PENSION FUND	
Fire Division		
1. Personal Services	20,362,578	20,362,578
2. Supplies	5,245	5,245
3. Other Services and Charges	101,108	101,108
4. Capital Outlay	<u>5,025</u>	<u>5,025</u>
TOTAL	20,473,956	20,473,956

SECTION 3. (a) The salaries, wages, and compensation of the various officers and employees of the Fire Special Service District for the ensuing year are now fixed and approved as follows: (i) for all classified personnel of the Fire Special Service District in accordance with the schedule set forth in the Mayor's Executive Order No. 9, 1994, and (ii) for all merit firefighters in accordance with the applicable labor agreements approved by the Mayor. Such compensation shall not be increased without approval of the Council or as provided in such wage and salary classification ordinance as may from time to time be adopted for employees of the Fire Special Service District.

(b) The respective amounts herein specified for personal services are hereby appropriated therefor; provided, however, that no person, official, or employee whose salary or compensation has been approved as part of the "Personal Services" appropriations in this ordinance, or any ordinance hereafter adopted, shall have any vested right to receive such amount, except as may be accrued, or otherwise provided by statute. Control as to any decrease shall be vested in the body or executive having direction over the one affected, as provided by law. Provided that, certain employees classified as "exempt" for the purposes of the Fair Labor Standards Act shall be salaried employees, and such salaries shall be paid on an annualized basis. Exempt salaried employees shall, however, be required to work a regularly scheduled 40-hour week. Provided further, that the compensation of employees classified as "non-exempt" for the purposes of the Act may fluctuate from pay period to pay period, in accordance with actual hours worked. Non-exempt employees shall also be required to work a regularly scheduled 40-hour week. Wages and hours of uniformed employees shall be determined in accordance with applicable provisions of the Fair Labor Standards Act.

SECTION 4. To defray the costs of government of the Fire Special Service District in accordance with the appropriations stated in sections 1 and 2 of this ordinance, certain anticipated revenues are allocated as follows:

(a) The Fire Service District Fund for 1995 shall consist of all balances at the end of fiscal 1994 available for transfer into said fund, all miscellaneous revenues derived from sources connected with the operation of the Fire Force, portions of the receipts from the County Option Income Tax allocated to this fund, the allocation of PILOT to this fund, those distributions of taxes allocated by state law on the basis of property taxes levied and assessed as this fund, and all amounts received from the levy of a rate of tax for this fund on all taxable property located in the Fire Special Service District by virtue of section 5 of this ordinance.

(b) The Fire Pension Fund for 1995 shall consist of all balances at the end of fiscal 1994 available for transfer into said fund, all miscellaneous revenues derived from sources connected with the operation of the Fire



Pension Fund, amounts allocated herein from the Supplemental Pension Trust, portions of the receipts from the County Option Income Tax allocated to this fund, the allocation of PILOT to this fund, those distributions of taxes allocated by state law on the basis of property taxes levied and assessed as this fund, all amounts received from the levy of a rate of tax for this fund on all taxable property located in the Fire Special Service District by virtue of section 5 of this ordinance.

SECTION 5. There is hereby levied and assessed or confirmed as may be required by law on all real estate and improvements and all business personal property of whatever description, tangible and intangible, and choses in action of every kind and character in the Fire Special Service District of the City of Indianapolis, as assessed for and returned for taxation in said District for the year 1994, payable in 1995, a tax rate of One Dollar and Twelve and fourty-eight hundredths cents (\$1.1248) for the Fire Special Service District Fund of each one hundred dollars (\$100.00) valuation of such special service taxable property; and seventeen and sixty-five hundredths cents (\$0.1765) for the Fire Pension Fund of each one hundred dollars (\$100.00) valuation of such special service district taxable property.

SECTION 6. The budget of said special service district shall be carried out with the revenues from taxation provided from the several tax levies fixed in this ordinance, and the miscellaneous receipts of said funds and with the use of portions of current balances, all as indicated on the following tables:

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
FIRE SERVICE DISTRICT FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
<b>SPECIAL TAXES</b>		
Financial Institution Tax	455,291	932,600
License Excise Tax	929,701	2,218,217
County Option Income Tax	3,887,500	9,300,000
PILOT	2,050,000	1,950,000
<b>ALL OTHER REVENUE</b>		
Licenses & Permits	775	3,000
Charges for Services	245,762	502,995
Intergovernmental	41,375	133,155
Sale and Lease of Property	5,000	10,000
Fees for Service	0	5,000
Miscellaneous	6,100	15,000
<b>TOTAL</b>	<b>7,621,504</b>	<b>15,069,967</b>

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
FIRE PENSION FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
<b>SPECIAL TAXES</b>		
Financial Institution Tax	71,602	146,341
License Excise Tax	146,210	348,076
COIT	1,817,501	3,635,000
PILOT	250,000	250,000
<b>ALL OTHER REVENUE</b>		
Intergovernmental	3,994,288	8,387,400
Miscellaneous	2,000	4,000
Trust & Agency	1,238,966	3,617,546
<b>TOTAL</b>	<b>7,520,567</b>	<b>16,388,363</b>

September 28, 1994

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
FIRE SERVICE DISTRICT FUND  
1995 NET ASSESSED VALUATION \$2,490,966,450  
1994 BILLED NET ASSESSED VALUATION \$2,384,966,470

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	1,854,087	1,854,087
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	22,071,609	22,071,609
3. Additional appropriations necessary to be made July 1 to December 31 of present year	0	0
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	0	0
5. Total expenditures for current year (add lines 2-4)	22,071,609	22,071,609
6. Remaining property taxes to be collected present year	13,894,447	13,894,447
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	7,616,504	7,621,504
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	21,510,951	21,510,951
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	1,293,429	1,298,429
10. Total budget estimate for January 1 to December 31 of incoming year	42,589,092	42,589,092
11. Miscellaneous revenue for January 1 to December 31 of incoming year	15,064,967	15,069,967
12. Property tax to be raised from January 1 to December 31 of incoming year	26,951,023	28,018,391
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	0	0
14. Estimated December 31 cash balance, of incoming year	720,327	1,797,695
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	1.1223	1.1223
Proposed tax rate for incoming year	1.1248	1.1248

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
FIRE PENSION FUND  
1995 NET ASSESSED VALUATION \$2,490,966,450  
1994 BILLED NET ASSESSED VALUATION \$2,384,966,470

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	754,644	754,644
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	9,459,000	9,459,000
3. Additional appropriations necessary to be made July 1 to December 31 of present year		



4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)	9,459,000	9,459,000
6. Remaining property taxes to be collected present year	2,185,129	2,185,129
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	7,370,567	7,520,567
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	9,555,696	9,555,696
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	851,340	1,001,340
10. Total budget estimate for January 1 to December 31 of incoming year	20,473,956	20,473,956
11. Miscellaneous revenue for January 1 to December 31 of incoming year	16,238,363	16,388,363
12. Property tax to be raised from January 1 to December 31 of incoming year	4,229,068	4,396,556
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	0	0
14. Estimated December 31 cash balance, of incoming year	844,815	1,312,303
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.1765	0.1765
Proposed tax rate for incoming year	0.1765	0.1765

Section 7.

SUMMARIES OF APPROPRIATIONS, MISCELLANEOUS REVENUE, TAX LEVIES, NET ASSESSED VALUE AND TAX RATE					
Fund	Approp.	Misc. Revenue	Tax Levy	Net Ass. Value	Tax Rate
Fire General	42,589,092		28,018,391	2,490,966,450	1.1248
Fire Pension	20,473,956	16,238,362	4,396,556	2,490,966,450	0.1765
TOTAL	63,063,048	31,303,329	32,414,875		1.3013

SECTION 8. The Auditor of Marion County, Indiana, be and he is hereby ordered and directed to place the aforesaid tax levies upon the property tax duplicates; and the County Treasurer of such county, ex-officio city treasurer, be and he is hereby ordered and directed to collect the same for the Fire Special Service District of the City of Indianapolis, and make due report thereof as provided by law.

SECTION 9. This ordinance shall be in full force and effect beginning January 1, 1995, after passage by the Fire Special Service District Council, approval by the Mayor, and approval by the Tax Boards as required by law.

**SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT**

A quorum being present, the President called the Solid Waste Collection Special Service District Council to order at 10:13 p.m.

PROPOSAL NO. 458, 1994. The proposal is the annual budget for the Solid Waste Collection Special Service District for 1995. Proposal No. 458, 1994 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

2 NOT PRESENT: *Giffin, Jimison*

Proposal No. 458, 1994 was retitled SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1994 and reads as follows:

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1994

A SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE creating the annual budget for the Solid Waste Collection Special Service District of the City of Indianapolis, Indiana, for the fiscal year beginning January 1, 1995 and ending December 31, 1995, appropriating monies for the purpose of defraying the expenses and all outstanding claims and obligations of said Solid Waste Collection Special Service District, fixing and establishing the annual rate of taxation and tax levy for the year 1995 for each fund for which a special tax levy is authorized, and fixing a time when this ordinance shall take effect.

BE IT ORDAINED BY THE SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. For the expenses of the Solid Waste Collection Special Service District of the City of Indianapolis for the fiscal year beginning January 1, 1995 and ending December 31, 1995, the sums of money herein set out are hereby appropriated and ordered set apart out of the Solid Waste Collection Service District Fund for the purposes herein specified, subject to the law governing the same:

1995 ANNUAL BUDGET  
DEPARTMENT OF PUBLIC WORKS

	ORIGINAL PUBLISHED BUDGET <u>APPROPRIATION</u>	BUDGET APPROVED BY CITY-COUNTY <u>COUNCIL</u>
DEPARTMENT OF PUBLIC WORKS	SOLID WASTE COLLECTION SERVICE DISTRICT FUND	
1. Personal Services	4,202,141	4,202,141
2. Supplies	278,331	278,331
3. Other Services and Charges	9,830,612	9,830,612
4. Capital Outlay	<u>1,123,188</u>	<u>1,123,188</u>
TOTAL	15,434,272	15,434,272
DEPARTMENT OF PUBLIC WORKS	SANITATION SOLID WASTE	
Compliance Division		
1. Personal Services	332,243	332,243
2. Supplies	2,250	2,250
3. Other Services and Charges	65,136	65,136
4. Capital Outlay	<u>33,050</u>	<u>33,050</u>
TOTAL	432,679	432,679

SECTION 2. The salaries, wages and compensation of the various officers and employees of the Solid Waste Collection Special Service District for the ensuing year as are hereby fixed and approved as follows: (i) for all classified personnel of the Solid Waste Collection Special Service District by the Solid Waste Collection Special Service District Council in accordance with the schedule set forth in the Mayor's Executive Order No. 9, 1994, and (ii) for hourly employees on a bargaining unit shall be paid in accordance with the terms of the Master Agreement as approved by the Mayor.



Such compensation shall not be increased without approval of the Council or as provided in such wage and salary classification ordinance as may from time to time be adopted for employees of the Solid Waste Collection Special Service District, and the respective amounts herein specified for personal services are hereby appropriated therefor. Provided, however, that no person, official or employee whose salary or compensation has been approved as part of the "Personal Services" appropriations in this ordinance or any ordinance hereafter adopted shall have any vested right to receive such amount, or any minimum amount, except as may be accrued, or otherwise provided by statute. Control as to any decrease shall be vested in the body or executive having direction over the one affected, as provided by law. Provided that, certain employees classified as "exempt" for the purposes of the Fair Labor Standards Act shall be salaried employees, and such salaries shall be paid on an annualized basis. Exempt salaried employees shall, however, be required to work a regularly scheduled 40-hour week. Provided further, that the compensation of employees classified as "non-exempt" for the purposes of the Act may fluctuate from pay period to pay period, in accordance with actual hours worked. Non-exempt employees shall also be required to work a regularly scheduled 40-hour week.

SECTION 3. To defray the costs of government of the Solid Waste Collection Special Service District in accordance with the appropriations stated in Section 1 of this ordinance, certain anticipated and estimated revenues are allocated as follows: The Solid Waste Collection Service District Fund for 1995 shall consist of all balances at the end of fiscal 1994 available for transfer into said fund, all miscellaneous revenues derived from sources connected with the operation of the Solid Waste Collection Special Service District, including federal grants and intergovernmental reimbursements, user charges, those distributions of taxes allocated by state law on the basis of property taxes levied and assessed as this fund, and all amounts received by the levy of a rate of tax for this fund on all taxable property located in the Solid Waste Collection Special Service District by virtue of Section 4 of this ordinance.

SECTION 4. There is hereby levied and assessed or confirmed as may be required by law on all real estate and improvements and all business personal property of whatever description, tangible and intangible, and choses in action of every kind and character in the Solid Waste Collection Special Service District of the City of Indianapolis, as assessed and returned for taxation in said District for the year 1994, payable in 1995, a tax rate of twenty-five and thirty-seven hundredths cents (\$0.2537) for the Solid Waste Collection Service District Fund on each one hundred dollars (\$100.00) valuation of such special service district taxable property.

SECTION 5. The budget of the Solid Waste Collection Special Service District shall be carried out with the revenues from taxation provided from the tax levy fixed in this ordinance, and the miscellaneous receipts of said funds and with the use of portions or current balances, all indicated on the following tables:

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
SOLID WASTE COLLECTION SERVICE DISTRICT FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>	July 01, 1994 through <u>Dec. 31, 1994</u>	Jan. 01, 1995 through <u>Dec. 31, 1995</u>
<b>SPECIAL TAXES</b>		
Financial Institution Tax	126,699	267,222
License Excise Tax	776,550	1,803,745
<b>ALL OTHER REVENUE</b>		
Miscellaneous	5,130	100,000
Charges for Services	20,000	69,000
Fines and Penalties	50,000	30,000
Transfers In- Abd. Vehicle Fund	<u>373,375</u>	<u>119,085</u>
<b>TOTAL</b>	1,351,754	2,389,052

September 28, 1994

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
SOLID WASTE COLLECTION SERVICE DISTRICT FUND  
1995 NET ASSESSED VALUATION \$7,110,477,759  
1994 BILLED NET ASSESSED VALUATION \$6,830,752,520

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	7,640,280	7,640,280
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	14,525,820	14,525,820
3. Additional appropriations necessary to be made July 1 to December 31 of present year	0	0
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	0	0
5. Total expenditures for current year (add lines 2-4)	14,525,820	14,525,820
6. Remaining property taxes to be collected present year	8,841,297	8,841,297
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	1,351,754	1,351,754
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	10,193,051	10,193,051
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	3,307,511	3,307,511
10. Total budget estimate for January 1 to December 31 of incoming year	15,866,951	15,866,951
11. Miscellaneous revenue for January 1 to December 31 of incoming year	2,389,052	2,389,052
12. Property tax to be raised from January 1 to December 31 of incoming year	17,523,874	18,039,282
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	0	0
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	7,353,486	7,868,894
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.2446	0.2446
Proposed tax rate for incoming year	0.2537	0.2537

SECTION 6. Summaries of Appropriations and Tax Levies.

FUND	LEVY ON PROPERTY	AMOUNT TO BE RAISED
Solid Waste Collection Service	.2537	18,039,282

SECTION 7. The Auditor of Marion County, Indiana, be and he is hereby ordered and directed to place the aforesaid levies upon the property tax duplicates; and the County Treasurer of such county, ex-officio city treasurer, be and he is hereby ordered and directed to collect the same for the Solid Waste Collection Special Service District of the City of Indianapolis, and make due report thereof as provided by law.

SECTION 8. This ordinance shall be in full force and effect beginning January 1, 1995, after passage by the Solid Waste Collection Special Service District Council, approval by the Mayor, and approval by the Tax Boards as required by law.



## CITY-COUNTY COUNCIL

A quorum being present, the President reconvened the City-County Council at 10:14 p.m.

PROPOSAL NO. 497, 1994. The proposal reviews, modifies and approves the operating and maintenance budget and tax levies of the Indianapolis Airport Authority District. Proposal No. 497, 1994 was adopted on the following roll call vote; viz:

27 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

2 NOT PRESENT: Giffin, Jimison

Proposal No. 497, 1994 was retitled GENERAL RESOLUTION NO. 2, 1994 and reads as follows:

### CITY-COUNTY GENERAL RESOLUTION NO. 2, 1994

A GENERAL RESOLUTION reviewing, modifying and approving the operating and maintenance budget and tax levies of the Indianapolis Airport Authority District of Indianapolis, Indiana, and establishing the appropriations for the purpose of defraying the expenses and all outstanding claims and obligations of the said Municipal Corporation for the fiscal year beginning January 1, 1995 and ending December 31, 1995, and fixing a time when this resolution shall take effect.

WHEREAS, IC 36-3-6-9 empowers the City-County Council to review and modify the operating and maintenance budget and tax levies of the Indianapolis Airport Authority of Marion County, established pursuant to IC 8-22-3; and,

WHEREAS, the City-County Council has reviewed said budget and has determined that the same should be modified and approved as stated herein; now, therefore:

### BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The operating budget for the expenses of the Indianapolis Airport Authority District of Indianapolis, Indiana, and its departments, division, and officials, for the fiscal year beginning January 1, 1995 and ending December 31, 1995 is hereby modified so that only the following sums of money are approved and appropriated out of the funds herein named and for the purposes herein specified subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year.

SECTION 2. For said fiscal year there is hereby appropriated out of the "Airport System Fund" of said Indianapolis Airport Authority District the sums as hereinafter appear in this section for the purposes herein named.

### INDIANAPOLIS AIRPORT AUTHORITY DISTRICT BUDGET FOR 1995

	ORIGINAL PUBLISHED BUDGET <u>APPROPRIATION</u>	BUDGET APPROVED BY CITY-COUNTY <u>COUNCIL</u>
1. Personal Services	11,881,698	11,881,698
2. Supplies	1,689,360	1,689,360
3. Other Services and Charges	50,708,396	50,708,396
4. Capital Outlay	<u>585,000</u>	<u>585,000</u>
TOTAL	64,864,454	64,864,454

September 28, 1994

SECTION 3. For said fiscal year, there is hereby appropriated out of the "Capital Improvement Fund" the following:

4. Capital Outlay	<u>54,760,000</u>	<u>54,760,000</u>
TOTAL	54,760,000	54,760,000

SECTION 4. That foregoing budget shall be carried out without any revenues from property taxation, with the use of portions of current balances in said funds and the receipts of miscellaneous revenues from all other sources, the means of financing thereof be computed in accordance with the following schedule:

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
INDIANAPOLIS AIRPORT AUTHORITY SYSTEM FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through <u>Dec. 31, 1994</u>	Jan. 01, 1995 through <u>Dec. 31, 1995</u>
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
ALL OTHER REVENUE		
Airport Revenues	<u>23,264,046</u>	<u>69,264,316</u>
TOTAL	23,264,046	69,264,316

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
INDIANAPOLIS AIRPORT AUTHORITY CAPITAL IMPROVEMENT FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through <u>Dec. 31, 1994</u>	Jan. 01, 1995 through <u>Dec. 31, 1995</u>
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
ALL OTHER REVENUE		
Federal and State Grant Funds	21,690,660	33,148,000
Federal Payments	219,624	308,080
Transfers	0	5,802,000
Interest	796,439	947,730
Financing	0	0
Sale of Property	0	0
PFC's	<u>2,822,620</u>	<u>7,650,000</u>
TOTAL	25,529,343	47,855,810

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
INDIANAPOLIS AIRPORT AUTHORITY SYSTEM FUND  
1995 NET ASSESSED VALUATION \$7,146,622,080  
1994 BILLED NET ASSESSED VALUATION \_\_\_\_\_

	PUBLISHED <u>BUDGET</u>	CITY-COUNTY <u>COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	43,707,546	43,707,546
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	20,938,245	20,938,245
3. Additional appropriations necessary to be made July 1 to December 31 of present year	0	0
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	0	0
5. Total expenditures for current year (add lines 2-4)	20,938,245	20,938,245



*Journal of the City-County Council*

6. Remaining property taxes to be collected present year	0	0
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	23,264,046	23,264,046
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	23,264,046	23,264,046
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	46,033,347	46,033,347
10. Total budget estimate for January 1 to December 31 of incoming year	64,864,454	64,864,454
11. Miscellaneous revenue for January 1 to December 31 of incoming year	69,264,316	69,264,316
12. Property tax to be raised from January 1 to December 31 of incoming year	0	0
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	0	0
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	50,433,209	50,433,209
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0	0
Proposed tax rate for incoming year	0	0

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
 INDIANAPOLIS AIRPORT AUTHORITY CAPITAL IMPROVEMENT FUND  
 1995 NET ASSESSED VALUATION \$7,146,622,080  
 1994 BILLED NET ASSESSED VALUATION \_\_\_\_\_

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	10,768,482	10,768,482
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	24,912,885	24,912,885
3. Additional appropriations necessary to be made July 1 to December 31 of present year	0	0
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	0	0
5. Total expenditures for current year (add lines 2-4)	24,912,885	24,912,885
6. Remaining property taxes to be collected present year	0	0
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	25,529,343	25,529,343
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	25,529,343	25,529,343
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	11,384,940	11,384,940
10. Total budget estimate for January 1 to December 31 of incoming year	54,760,000	54,760,000

September 28, 1994

11. Miscellaneous revenue for January 1 to December 31 of incoming year	47,855,810	47,855,810
12. Property tax to be raised from January 1 to December 31 of incoming year	0	0
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	0	0
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	4,480,750	4,480,750
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0	0
Proposed tax rate for incoming year	0	0

SECTION 5.

SUMMARIES OF APPROPRIATIONS, MISCELLANEOUS REVENUE, TAX LEVIES, NET ASSESSED VALUE AND TAX RATE					
Fund	Approp.	Misc. Revenue	Tax Levy	Net Ass. Value	Tax Rate
Airport System Fund	64,864,454	69,264,316		7,146,622,080	
Airport Capital Improvement Fund	54,760,000	47,855,810		7,146,622,080	
TOTAL	119,624,454	117,120,126		7,146,622,080	

SECTION 6. This resolution shall be in full force and effect beginning January 1, 1995, after passage by the City-County Council and approval by the Tax Boards as required by law.

PROPOSAL NO. 498, 1994. The proposal reviews, modifies and approves the operating and maintenance budget and tax levies of the Capital Improvement Board of Managers of Marion County. Proposal No. 498, 1994 was adopted on the following roll call vote; viz:

18 YEAS: *Beadling, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Hinkle, McClamroch, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, West*  
9 NAYS: *Black, Borst, Boyd, Golc, Gray, Jones, Moriarty Adams, Ruhmkorff, Williams*  
2 NOT PRESENT: *Giffin, Jimison*

Proposal No. 498, 1994 was retitled GENERAL RESOLUTION NO. 3, 1994 and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 3, 1994

A GENERAL RESOLUTION reviewing, modifying and approving the operating budget of the Capital Improvement Board of Managers of Marion County, Indiana, and establishing the appropriations for the purpose of defraying the expenses and all outstanding claims and obligations of the said Board of Managers for the fiscal year beginning January 1, 1995 and ending December 31, 1995, and fixing a time when this resolution shall take effect.

WHEREAS, IC 36-10-9-8 provides that the City-County Council shall review, approve, or reject the operating budget of the Capital Improvement Board of Managers of Marion County, established pursuant to IC 36-10-9; and,



WHEREAS, the City-County Council has reviewed said budget and has determined that the same should be modified and approved as stated herein; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The operating budget for the expenses of the Capital Improvement Board of Managers of Marion County, Indiana, for the fiscal year beginning January 1, 1995 and ending December 31, 1995 is hereby modified so that only the following sums of money are approved and appropriated out of the funds herein named and for the purposes herein specified subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year.

SECTION 2. For said fiscal year there is hereby appropriated out of the "Capital Operating Fund" of said Board of Managers, the sums as hereinafter appear in this section for the purposes herein named.

CAPITAL IMPROVEMENT BOARD OF  
MANAGERS OF MARION COUNTY  
BUDGET FOR 1995

	ORIGINAL PUBLISHED BUDGET <u>APPROPRIATION</u>	BUDGET APPROVED BY CITY-COUNTY <u>COUNCIL</u>
1. Personal Services	9,455,600	9,455,600
2. Supplies	1,136,400	1,136,400
3. Other Services and Charges	22,103,200	22,103,200
4. Capital Outlay	<u>9,500,000</u>	<u>9,500,000</u>
TOTAL	42,195,200	42,195,200

SECTION 3. For said fiscal year, there is hereby appropriated out of the "Bond Fund" the following:

3. Other Services and Charges	<u>10,994,000</u>	<u>10,994,000</u>
TOTAL	10,994,000	10,994,000

SECTION 4. That foregoing budget shall be carried out without any revenues from property taxation, with the use of portions of current balances in said funds and the receipts of miscellaneous revenues from all other sources, the means of financing thereof be computed in accordance with the following schedule:

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
CAPITAL IMPROVEMENT BOARD OF MANAGERS OPERATING FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>	July 01, 1994 through <u>Dec. 31, 1994</u>	Jan. 01, 1995 through <u>Dec. 31, 1995</u>
ALL OTHER REVENUE		
Interest on Investment	110,800	225,000
Rental	1,608,300	3,130,200
Food Service and Concessions Income	1,504,400	3,110,500
Labor Reimbursements	850,700	1,773,000
Parking Lot Receipts	372,300	679,500
Box Office Miscellaneous Income	429,300	678,900
Transfers from Bond Fund	5,141,354	11,803,300
Suites License Fees	397,000	2,795,600
Arena Lease	-0-	150,000
Advertising Income	293,200	732,500
Operating Reserve Restricted	-0-	-0-
Reimbursement for Prior Capital Outlays	<u>-0-</u>	<u>7,000,000</u>
TOTAL	10,707,354	32,078,500

September 28, 1994

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
CAPITAL IMPROVEMENT BOARD OF MANAGERS BOND FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
<u>SPECIAL TAXES:</u>		
Cigarette Tax Revenues	175,000	350,000
Hotel-Motel	5,577,600	10,138,000
Food and Beverage Tax	5,340,000	11,252,000
County Admissions Tax	168,800	650,000
<u>ALL</u>		
Interest on Investments	284,800	637,700
Transfers to Operating Fund	(5,141,354)	(11,803,300)
<u>TOTAL</u>	<u>6,404,846</u>	<u>11,224,400</u>

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
CAPITAL IMPROVEMENT BOARD OF MANAGERS OPERATING FUND  
1995 NET ASSESSED VALUATION \_\_\_\_\_  
1994 BILLED NET ASSESSED VALUATION \_\_\_\_\_

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
<u>FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994</u>		
1. June 30 actual cash balance of present year	15,217,641	15,217,641
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	15,432,700	15,432,700
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	15,432,700	15,432,700
6. Remaining property taxes to be collected present year	_____	_____
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	10,707,354	10,707,354
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	10,707,354	10,707,354
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	10,492,295	10,492,295
10. Total budget estimate for January 1 to December 31 of incoming year	42,195,200	42,195,200
11. Miscellaneous revenue for January 1 to December 31 of incoming year	32,078,500	32,078,500
12. Property tax to be raised from January 1 to December 31 of incoming year	_____	_____
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	_____	_____



*Journal of the City-County Council*

14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	375,595	375,595
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Net tax rate on each one hundred dollars of taxable property

Current year tax rate

Proposed tax rate for incoming year

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

CAPITAL IMPROVEMENT BOARD OF MANAGERS BOND FUND

1995 NET ASSESSED VALUATION \_\_\_\_\_

1994 BILLED NET ASSESSED VALUATION \_\_\_\_\_

PUBLISHED  
BUDGET

CITY-COUNTY  
COUNCIL

FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994

1. June 30 actual cash balance of present year	12,302,519	12,302,519
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	4,389,000	4,389,000
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	4,389,000	4,389,000
6. Remaining property taxes to be collected present year	_____	_____
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	6,404,846	6,404,846
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	6,404,846	6,404,846
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	14,318,365	14,318,365
10. Total budget estimate for January 1 to December 31 of incoming year	10,994,000	10,994,000
11. Miscellaneous revenue for January 1 to December 31 of incoming year	11,224,400	11,224,400
12. Property tax to be raised from January 1 to December 31 of incoming year	_____	_____
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	_____	_____
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	14,548,765	14,548,765

Net tax rate on each one hundred dollars of taxable property

Current year tax rate

Proposed tax rate for incoming year

SECTION 5.

SUMMARIES OF APPROPRIATIONS, MISCELLANEOUS REVENUE, TAX LEVIES, NET ASSESSED VALUE AND TAX RATE					
Fund	Approp.	Misc. Revenue	Tax Levy	Net Ass. Value	Tax Rate
CIB - Operating Fund	42,195,200	32,078,500			
CIB - Debt Service Fund	10,994,000	11,224,400			
TOTAL	53,189,200	43,302,900			

SECTION 6. This resolution shall be in full force and effect beginning January 1, 1995, after passage by the City-County Council and approval by the State Tax Boards as required by law.

PROPOSAL NO. 499, 1994. The proposal reviews, modifies and approves the operating and maintenance budget and tax levies of the Health and Hospital Corporation of Marion County. Councillor Schneider stated that the Committee reported this proposal to the Council for action without recommendation. This Committee action was taken because Health and Hospital Corporation (H&H) was not clear on how the takeover of the Marion County Home would be financed. That financing has since been determined; therefore, Councillor Schneider moved, seconded by Councillor Beadling, to adopt Proposal No. 499, 1994. This motion passed by unanimous voice vote.

Councillor Golc stated that he will abstain from voting due to a conflict of interest.

Proposal No. 499, 1994 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Golc*

2 NOT PRESENT: *Giffin, Jimison*

Proposal No. 499, 1994 was retitled GENERAL RESOLUTION NO. 4, 1994 and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 4, 1994

A GENERAL RESOLUTION reviewing, modifying and approving the operating and maintenance budget and tax levies of the Health and Hospital Corporation of Marion County, Indiana, and establishing the appropriations for the purpose of defraying the expenses and all outstanding claims and obligations of the said Municipal Corporation for the fiscal year beginning January 1, 1995 and ending December 31, 1995, and fixing a time when this resolution shall take effect.

WHEREAS, IC 36-3-6-9 empowers the City-County Council to review and modify the operating and maintenance budget and tax levies of the Health and Hospital Corporation of Marion County, established pursuant to IC 8-22-3; and,

WHEREAS, the City-County Council has reviewed said budget and has determined that the same should be modified and approved as stated herein; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:



SECTION 1. The operating budget for the expenses of the Health and Hospital Corporation of Marion County, Indiana, and its departments, division, and officials, for the fiscal year beginning January 1, 1995 and ending December 31, 1995 is hereby modified so that only the following sums of money are approved and appropriated out of the funds herein named and for the purposes herein specified subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year.

SECTION 2. For said fiscal year there is hereby appropriated out of the "General Fund" of said Health and Hospital Corporation the sums as hereinafter appear in this section for the purposes herein named.

HEALTH AND HOSPITAL CORPORATION  
BUDGET FOR 1995

	ORIGINAL PUBLISHED BUDGET <u>APPROPRIATION</u>	BUDGET APPROVED BY CITY-COUNTY <u>COUNCIL</u>
ADMINISTRATIVE STAFF		
1. Personal Services	2,010,200	2,010,200
2. Supplies	150,000	150,000
3. Other Services and Charges	1,386,000	1,386,000
4. Capital Outlay	<u>275,000</u>	<u>275,000</u>
TOTAL	3,821,200	3,821,200
DIVISION OF PUBLIC HEALTH		
1. Personal Services	13,961,000	13,961,000
2. Supplies	1,810,000	1,810,000
3. Other Services and Charges	3,416,400	3,416,400
4. Capital Outlay	<u>562,000</u>	<u>562,000</u>
TOTAL	19,749,400	19,749,400
DIVISION OF PUBLIC HOSPITALS WILLIAM N. WISHARD MEMORIAL HOSPITAL		
1. Personal Services	93,195,803	93,195,803
2. Supplies	36,028,191	36,028,191
3. Other Services and Charges	37,041,948	37,041,948
4. Capital Outlay	<u>9,000,000</u>	<u>9,000,000</u>
TOTAL	175,265,942	175,265,942
GRAND TOTAL ALL DIVISIONS	198,836,542	198,836,542

SECTION 3. For said fiscal year, there is hereby appropriated out of the "Bond Retirement Fund" the following:

3. Other Services and Charges	<u>2,989,713</u>	<u>2,989,713</u>
TOTAL	2,989,713	2,989,713

SECTION 4. For said fiscal year, there is hereby appropriated out of the "Cumulative Building Fund" the following:

4. Capital Outlay	<u>15,000,000</u>	<u>15,000,000</u>
TOTAL	15,000,000	15,000,000

SECTION 5. That foregoing budget shall be carried out without any revenues from property taxation provided from the several tax levies as modified and fixed in City-County Fiscal Ordinance No. 88, 1994 with the use of portions of current balances in said funds and the receipts of miscellaneous revenues from all other sources, the means of financing thereof be computed in accordance with the following schedule:

September 28, 1994

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
HEALTH AND HOSPITAL GENERAL FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
SPECIAL TAXES		
Financial Institution Tax	574,947	1,156,652
License Excise Tax	2,600,170	5,834,366
Mental Health Taxes	0	0
ALL		
Wishard Patient Receipts	49,318,811	110,334,800
Wishard Grant Receipts	7,364,057	13,200,000
Wishard Non-Patient Receipts	1,637,283	5,003,900
Public Health Receipts	616,500	1,890,000
Public Health DCS Grant	179,212	336,500
Administration Staff Receipts	15,000	75,000
Mental Health Taxes	<u>663,491</u>	<u>1,250,800</u>
TOTAL	62,969,471	139,082,018

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
HEALTH AND HOSPITAL BOND RETIREMENT FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
SPECIAL TAXES		
Financial Institution Tax	39,354	70,560
Excise Tax	177,503	355,500
ALL OTHER REVENUE		
Miscellaneous Receipts	<u>5,200</u>	<u>10,000</u>
TOTAL	222,057	436,060

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
HEALTH AND HOSPITAL CUMULATIVE BUILDING FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
SPECIAL TAXES		
Financial Institution Tax	1,443	14,847
Excise Tax	6,584	2,929
ALL OTHER REVENUE		
Miscellaneous Receipts	<u>1,308,690</u>	<u>2,363,042</u>
TOTAL	1,316,717	2,380,818



ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
HEALTH AND HOSPITAL GENERAL FUND  
1995 NET ASSESSED VALUATION \$7,440,037,033  
1994 BILLED NET ASSESSED VALUATION \_\_\_\_\_

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	49,936,913	49,936,913
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	116,204,846	116,204,846
3. Additional appropriations necessary to be made July 1 to December 31 of present year	0	0
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	0	0
5. Total expenditures for current year (add lines 2-4)	116,204,846	116,204,846
6. Remaining property taxes to be collected present year	30,256,809	30,256,809
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	62,969,471	62,969,471
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	93,226,280	93,226,280
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	26,958,347	26,958,347
10. Total budget estimate for January 1 to December 31 of incoming year	198,836,542	198,836,542
11. Miscellaneous revenue for January 1 to December 31 of incoming year	139,082,018	139,082,018
12. Property tax to be raised from January 1 to December 31 of incoming year	32,796,177	32,796,177
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	26,919,928	26,919,928
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	26,919,928	26,919,928
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.7828	.7828
Proposed tax rate for incoming year	.8026	.8026

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
HEALTH AND HOSPITAL BOND RETIREMENT FUND  
1995 NET ASSESSED VALUATION \$7,440,037,033  
1994 BILLED NET ASSESSED VALUATION \_\_\_\_\_

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	433,269	433,269
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	2,588,842	2,588,842

September 28, 1994

3. Additional appropriations necessary to be made July 1 to December 31 of present year	0	0
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	0	0
5. Total expenditures for current year (add lines 2-4)	2,588,842	2,588,842
6. Remaining property taxes to be collected present year	2,071,748	2,071,748
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	224,857	224,857
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	2,296,605	2,296,605
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	141,032	141,032
10. Total budget estimate for January 1 to December 31 of incoming year	2,989,713	2,989,713
11. Miscellaneous revenue for January 1 to December 31 of incoming year	436,060	436,060
12. Property tax to be raised from January 1 to December 31 of incoming year	2,412,621	2,412,621
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	100,000	100,000
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	100,000	100,000
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.0536	.0536
Proposed tax rate for incoming year	.0338	.0338

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
HEALTH AND HOSPITAL CUMULATIVE BUILDING FUND  
1995 NET ASSESSED VALUATION \$7,440,037,033  
1994 BILLED NET ASSESSED VALUATION \_\_\_\_\_

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	52,410,575	52,410,575
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	19,876,753	19,876,753
3. Additional appropriations necessary to be made July 1 to December 31 of present year	0	0
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	0	0
5. Total expenditures for current year (add lines 2-4)	19,876,753	19,876,753
6. Remaining property taxes to be collected present year	77,304	77,304
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	1,316,717	1,316,717
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	1,394,021	1,394,021



9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	33,927,843	33,927,843
10. Total budget estimate for January 1 to December 31 of incoming year	15,000,000	15,000,000
11. Miscellaneous revenue for January 1 to December 31 of incoming year	2,380,818	2,380,818
12. Operating balance not to be raised by taxes	21,457,460	21,457,460
13. Property tax to be raised from January 1 to December 31 of incoming year	148,801	148,801
14. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	0	0
15. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	21,457,460	21,457,460
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.0020	.0020
Proposed tax rate for incoming year	.0020	.0020

SECTION 6.

SUMMARIES OF APPROPRIATIONS, MISCELLANEOUS REVENUE, TAX LEVIES, NET ASSESSED VALUE AND TAX RATE					
Fund	Approp.	Misc. Revenue	Tax Levy	Net Ass. Value	Tax Rate
General Fund	198,836,542	139,082,018	59,716,105	7,440,037,033	.8026
Debt Service Fund	2,989,713	436,060	2,512,621	7,440,037,033	.0338
Cumulative Building Fund	15,000,000	2,380,818	148,801	7,440,037,033	.0020
TOTAL	216,826,255	141,898,896	62,377,527		.8384

SECTION 7. This resolution shall be in full force and effect beginning January 1, 1994, after passage by the City-County Council and approval by the State Tax Boards as required by law.

PROPOSAL NO. 500, 1994. The proposal reviews, modifies and approves the operating and maintenance budget and tax levies of the Indianapolis-Marion County Public Library Board. Proposal No. 500, 1994, as amended, was adopted on the following roll call vote; viz:

27 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

2 NOT PRESENT: Giffin, Jimison

Proposal No. 500, 1994, as amended, was retitled GENERAL RESOLUTION NO. 5, 1994 and reads as follows:

September 28, 1994

CITY-COUNTY GENERAL RESOLUTION NO. 5, 1994

A GENERAL RESOLUTION reviewing, modifying and approving the operating and maintenance budget and tax levies of the Indianapolis-Marion County Public Library Board of Marion County, Indiana, and establishing the appropriations for the purpose of defraying the expenses and all outstanding claims and obligations of the said Library Board for the fiscal year beginning January 1, 1995 and ending December 31, 1995.

WHEREAS, IC 36-3-6-9 empowers the City-County Council to review and modify the operating budget of the Indianapolis-Marion County Public Library Board of Marion County, established pursuant to IC 20-14; and,

WHEREAS, the City-County Council has reviewed said budget and has determined that the same should be modified and approved as stated herein; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The operating and maintenance budget for the expenses of the Indianapolis-Marion County Public Library Board of Marion County, Indiana, for the fiscal year beginning January 1, 1995 and ending December 31, 1995 is hereby modified so that only the following sums of money are approved and appropriated out of the funds herein named and for the purposes herein specified subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year.

SECTION 2. For said fiscal year there is hereby appropriated out of the "Operating Fund" of said Library Board the sums as hereinafter appear in this section for the purposes herein named.

INDIANAPOLIS-MARION COUNTY PUBLIC LIBRARY BOARD  
BUDGET FOR 1995

	ORIGINAL PUBLISHED BUDGET <u>APPROPRIATION</u>	BUDGET APPROVED BY CITY-COUNTY <u>COUNCIL</u>
1. Personal Services	14,991,611	14,331,690
2. Supplies	431,050	431,050
3. Other Services and Charges	3,421,500	3,271,500
4. Capital Outlay	<u>6,278,611</u>	<u>5,654,514</u>
TOTAL	25,122,772	23,688,754

SECTION 3. For said fiscal year, there is hereby appropriated out of the "Bond Fund" the following:

3. Other Services	<u>1,109,738</u>	<u>1,109,738</u>
TOTAL	1,109,738	1,109,738

SECTION 4. That foregoing budget shall be carried out without any revenues from taxation provided from the several tax levies as modified and fixed in City-County Fiscal Ordinance No. 88, 1994 with the use of portions of current balances in said funds and the receipts of miscellaneous revenues from all other sources, the means of financing thereof be computed in accordance with the following schedule:

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
LIBRARY OPERATING FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through <u>Dec. 31, 1994</u>	Jan. 01, 1995 through <u>Dec. 31, 1995</u>
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
SPECIAL TAXES		
Financial Institution Tax	165,439	329,941
License Excise Tax	887,275	1,984,700



ALL OTHER REVENUE

State Distribution	87,520	0
Fines and Fees	330,000	700,000
Photocopy Fees	66,000	140,000
Interest on Investments	39,511	80,000
Telephone Commissions	3,300	6,600
Library Service Authority	53,780	90,000
PLAC Cards	0	28,000
Literary	22,859	35,000
Miscellaneous	<u>5,000</u>	<u>15,000</u>
TOTAL	1,660,684	3,409,241

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY

ESTIMATE OF MISCELLANEOUS REVENUE

FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES

LIBRARY BOND FUND

FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
SPECIAL TAXES		
Financial Institution Tax	8,511	16,845
License Excise Tax	45,664	101,265
Interest on Investments	<u>4,678</u>	<u>6,000</u>
TOTAL	58,853	124,110

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

LIBRARY OPERATING FUND

1995 NET ASSESSED VALUATION \$7,087,930,744

1994 BILLED NET ASSESSED VALUATION \$6,948,951,710

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	2,977,179	2,977,179
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	13,958,040	13,958,040
3. Additional appropriations necessary to be made July 1 to December 31 of present year	0	0
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	0	0
5. Total expenditures for current year (add lines 2-4)	13,958,040	13,958,040
6. Remaining property taxes to be collected present year	10,359,803	10,359,803
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	1,660,684	1,660,684
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	12,020,487	12,020,487
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	1,039,626	1,039,626
10. Total budget estimate for January 1 to December 31 of incoming year	25,122,772	23,688,754
11. Miscellaneous revenue for January 1 to December 31 of incoming year	3,409,241	3,409,241

September 28, 1994

12. Property tax to be raised from January 1 to December 31 of incoming year	20,673,905	19,739,887
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	0	0
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	0	0
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.2783	.2783
Proposed tax rate for incoming year	.2975	.2785

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

LIBRARY BOND FUND

1995 NET ASSESSED VALUATION \$7,087,930,744

1994 BILLED NET ASSESSED VALUATION \$6,948,951,710

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	240,879	240,879
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	814,965	814,965
3. Additional appropriations necessary to be made July 1 to December 31 of present year	0	0
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	0	0
5. Total expenditures for current year (add lines 2-4)	814,965	814,965
6. Remaining property taxes to be collected present year	524,877	524,877
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	58,853	58,853
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	583,730	583,730
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	9,644	9,644
10. Total budget estimate for January 1 to December 31 of incoming year	1,109,738	1,109,738
11. Miscellaneous revenue for January 1 to December 31 of incoming year	124,110	124,110
12. Property tax to be raised from January 1 to December 31 of incoming year	975,984	975,984
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	0	0
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	0	0
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.0140	.0140
Proposed tax rate for incoming year	.0140	.0139



SECTION 5.

SUMMARIES OF APPROPRIATIONS, MISCELLANEOUS REVENUE, TAX LEVIES, NET ASSESSED VALUE AND TAX RATE					
Fund	Approp.	Misc. Revenue	Tax Levy	Net Ass. Value	Tax Rate
Library Operating Fund	23,688,754	3,409,241	20,673,905	7,087,930,744	.2785
Library Bond Fund	1,109,738	124,110	975,984	7,087,930,744	.0139
TOTAL	24,798,492	3,533,351	21,649,889		.2924

SECTION 6. This resolution shall be in full force and effect beginning January 1, 1994, after passage by the City-County Council.

PROPOSAL NO. 501, 1994. The proposal reviews, modifies and approves the operating and maintenance budget and tax levies of the Indianapolis Public Transportation Corporation. Proposal No. 501, 1994 was adopted on the following roll call vote; viz:

20 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Gilmer, Hinkle, Jones, McClamroch, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, West*  
 7 NAYS: *Black, Franklin, Golc, Gray, Moriarty Adams, Ruhmkorff, Williams*  
 2 NOT PRESENT: *Giffin, Jimison*

Councillor Golc asked for consent to explain his vote. Consent was given. Councillor Golc said he voted against this budget because Metro's ridership continues to decline and the City continues to maintain its subsidy without any accountability. The City is providing a service that is gridlocked on a fixed route system that leads to downtown and apparently sometimes to other places. He said that with a viable city such as Indianapolis it is imperative that it have a transportation system that works or the City will not work. It is time to look at some new ideas such as having private enterprise come in and try to provide a better system.

Proposal No. 501, 1994 was retitled GENERAL RESOLUTION NO. 6 1994 and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 6, 1994

A GENERAL RESOLUTION reviewing, modifying and approving the operating and maintenance budget and tax levies of the Indianapolis Public Transportation Corporation of Marion County, Indiana, and establishing the appropriations for the purpose of defraying the expenses and all outstanding claims and obligations of the said Transportation Corporation Board for the fiscal year beginning January 1, 1995 and ending December 31, 1995.

WHEREAS, IC 36-3-6-9 empowers the City-County Council to review and modify the operating budget of the Indianapolis Public Transportation Corporation of Marion County, established pursuant to IC 36-9-4; and

WHEREAS, the City-County Council has reviewed said budget and has determined that the same should be modified and approved as stated herein; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
 CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The operating and maintenance budget for the expenses of the Indianapolis Public Transportation Corporation of Marion County, Indiana, for the fiscal year beginning January 1, 1995 and ending December 31, 1995 is hereby modified so that only the following sums of money are approved and appropriated out of the

September 28, 1994

funds herein named and for the purposes herein specified subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year.

SECTION 2. For said fiscal year there is hereby appropriated out of the "General Fund" of said Transportation Corporation the sums as hereinafter appear in this section for the purposes herein named.

INDIANAPOLIS PUBLIC TRANSPORTATION CORPORATION  
BUDGET FOR 1995

	ORIGINAL PUBLISHED BUDGET <u>APPROPRIATION</u>	BUDGET APPROVED BY CITY-COUNTY <u>COUNCIL</u>
GENERAL FUND		
ADMINISTRATIVE		
1. Personal Services	1,703,469	1,703,469
2. Supplies	67,893	67,893
3. Other Services and Charges	3,047,756	3,047,756
4. Capital Outlay	<u>0</u>	<u>0</u>
TOTAL	4,819,118	4,819,118
OPEN DOOR AND CONTRACT SERVICES		
1. Personal Services	22,281	22,281
2. Supplies	650	650
3. Other Services and Charges	3,246,821	3,246,821
4. Capital Outlay	<u>0</u>	<u>0</u>
TOTAL	3,269,752	3,269,752
METRO OPERATIONS FUND TRANSPORTATION DIVISION		
1. Personal Services	9,114,621	9,114,621
2. Supplies	37,600	37,600
3. Other Services and Charges	242,287	242,287
4. Capital Outlay	<u>0</u>	<u>0</u>
TOTAL	9,394,508	9,394,508
MAINTENANCE DIVISION		
1. Personal Services	3,039,421	3,039,421
2. Supplies	1,914,771	1,914,771
3. Other Services and Charges	1,009,609	1,009,609
4. Capital Outlay	<u>0</u>	<u>0</u>
TOTAL	5,963,801	5,963,801
FUND TOTAL	15,358,309	15,358,309

SECTION 3. For said fiscal year, there is hereby appropriated out of the "Bond Fund" the following:

3. Other Services and Charges	<u>1,391,667</u>	<u>1,391,667</u>
TOTAL	1,391,667	1,391,667

SECTION 4. That foregoing budget shall be carried out without any revenues from property taxation provided from the several tax levies as modified and fixed in City-County Fiscal Ordinance No. 88, 1994, with the use of portions of current balances in said funds and the receipts of miscellaneous revenues from all other sources, the means of financing thereof be computed in accordance with the following schedule:



CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
INDIANAPOLIS PUBLIC TRANSPORTATION CORPORATION GENERAL FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
SPECIAL TAXES		
Financial Institution Tax	48,476	96,280
License Excise Tax	261,524	637,720
ALL OTHER REVENUE		
Federal Matching Funds	0	0
Interest on Investments	25,000	50,000
Miscellaneous Revenue	<u>50,000</u>	<u>640,849</u>
TOTAL	385,000	1,424,849

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
INDIANAPOLIS PUBLIC TRANSPORTATION CORPORATION BOND FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
SPECIAL TAXES		
Financial Institution Tax	8,802	17,604
License Excise Tax	67,188	134,376
ALL OTHER REVENUE		
Interest on Investments	6,500	13,500
Contracts To Excluded Areas	47,430	41,540
Transfer from GF/CEF	<u>0</u>	<u>0</u>
TOTAL	129,920	207,020

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
INDIANAPOLIS PUBLIC TRANSPORTATION CORPORATION METRO OPERATIONS  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
SPECIAL TAXES		
Financial Institution Tax	0	0
License Excise Tax	0	0
ALL OTHER REVENUE		
Federal Matching Funds	480,300	318,600
Federal Operating	2,500,000	3,299,000
Build Indiana Fund		
State Payments PMTF	0	5,276,000
Operating Revenue	3,349,000	6,336,151
Interest on Investments	0	0
Miscellaneous Revenue	0	0
Contracts to Excluded Areas	153,000	134,000
IPTC Bond Note	<u>0</u>	<u>0</u>
TOTAL	6,482,300	15,363,751

September 28, 1994

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
INDIANAPOLIS PUBLIC TRANSPORTATION CORPORATION GENERAL FUND  
1995 NET ASSESSED VALUATION \$6,990,476,190  
1994 BILLED NET ASSESSED VALUATION \_\_\_\_\_

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	124,829	124,829
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	3,977,829	3,977,829
3. Additional appropriations necessary to be made July 1 to December 31 of present year	0	0
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	0	0
5. Total expenditures for current year (add lines 2-4)	3,977,829	3,977,829
6. Remaining property taxes to be collected present year	3,468,000	3,468,000
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	385,000	385,000
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	3,853,000	3,853,000
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	0	0
10. Total budget estimate for January 1 to December 31 of incoming year	8,088,870	8,088,870
11. Miscellaneous revenue for January 1 to December 31 of incoming year	1,424,849	1,424,849
12. Property tax to be raised from January 1 to December 31 of incoming year	6,664,021	6,664,021
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	0	0
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	0	0
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.0945	.0945
Proposed tax rate for incoming year	.0953	.0953

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
INDIANAPOLIS PUBLIC TRANSPORTATION CORPORATION BOND FUND  
1995 NET ASSESSED VALUATION \$6,990,476,190  
1994 BILLED NET ASSESSED VALUATION \_\_\_\_\_

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	495,212	495,212
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	977,609	977,609



*Journal of the City-County Council*

3. Additional appropriations necessary to be made July 1 to December 31 of present year	0	0
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	0	0
5. Total expenditures for current year (add lines 2-4)	977,609	977,609
6. Remaining property taxes to be collected present year	640,927	640,927
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	129,920	129,920
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	770,847	770,847
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	288,450	288,450
10. Total budget estimate for January 1 to December 31 of incoming year	1,391,667	1,391,667
11. Miscellaneous revenue for January 1 to December 31 of incoming year	207,020	207,020
12. Property tax to be raised from January 1 to December 31 of incoming year	896,197	896,197
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	262,125	262,125
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	262,125	262,125
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.0174	.0174
Proposed tax rate for incoming year	.0166	.0166

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
 INDIANAPOLIS PUBLIC TRANSPORTATION METRO OPERATIONS FUND  
 1995 NET ASSESSED VALUATION \$6,990,476,190  
 1994 BILLED NET ASSESSED VALUATION \_\_\_\_\_

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	2,441,166	2,441,166
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	8,928,908	8,928,908
3. Additional appropriations necessary to be made July 1 to December 31 of present year	0	0
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	0	0
5. Total expenditures for current year (add lines 2-4)	8,928,908	8,928,908
6. Remaining property taxes to be collected present year	0	0
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	6,482,300	6,482,300
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	6,482,300	6,482,300

September 28, 1994

9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	(5,442)	(5,442)
10. Total budget estimate for January 1 to December 31 of incoming year	15,358,309	15,358,309
11. Miscellaneous revenue for January 1 to December 31 of incoming year	15,363,751	15,363,751
12. Property tax to be raised from January 1 to December 31 of incoming year	0	0
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	0	0
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	0	0
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0	0
Proposed tax rate for incoming year	0	0

SECTION 5.

SUMMARIES OF APPROPRIATIONS, MISCELLANEOUS REVENUE, TAX LEVIES, NET ASSESSED VALUE AND TAX RATE					
Fund	Approp.	Misc. Revenue	Tax Levy	Net Ass. Value	Tax Rate
METRO General Fund	8,088,870	1,424,849	6,664,021	6,990,476,190	.09533
METRO Operating Fund	15,358,309	15,363,751		6,990,476,190	
METRO Debt Service	1,391,667	207,020	1,158,322	6,990,476,190	.01657
TOTAL	24,838,846	16,995,620	7,822,343		.1119

SECTION 6. This resolution shall be in full force and effect beginning January 1, 1994, after passage by the City-County Council.

PROPOSAL NO. 459, 1994. The proposal is the annual budget for the Public Housing Division for 1995. Proposal No. 459, 1994, as amended, was adopted on the following roll call vote; viz:

24 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Ruhmkorff, SerVaas, Short, Smith, West, Williams*

3 NAYS: *Rhodes, Schneider, Shambaugh*

2 NOT PRESENT: *Giffin, Jimison*

Councillor Williams said that this is the first year that she has not complained about the elevators in the public housing in her district, and she also complimented the Division of Public Housing on some very positive feedback that she is receiving from her public housing communities.



Proposal No. 459, 1994, as amended, was retitled FISCAL ORDINANCE NO. 84, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 84, 1994

A FISCAL ORDINANCE creating the annual budget of the Public Housing Division of the Department of Metropolitan Development of the City of Indianapolis, Indiana, for the fiscal year beginning January 1, 1995 and ending December 31, 1995, appropriating monies for the purpose of defraying the expenses and all outstanding claims and obligations of said Indianapolis Housing Authority Fund and HUD Section 8 Special Revenue Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. For the expenses of the Public Housing Division of the Department of Metropolitan Development of the City of Indianapolis for the fiscal year beginning January 1, 1995, and ending December 31, 1995, the sums of money herein set out are hereby appropriated and ordered set apart out of the Indianapolis Housing Authority Fund for the purposes herein specified, subject to the law governing the same:

1995 ANNUAL BUDGET  
PUBLIC HOUSING DIVISION OF THE  
DEPARTMENT OF METROPOLITAN DEVELOPMENT

	ORIGINAL PUBLISHED BUDGET <u>APPROPRIATION</u>	BUDGET APPROVED BY CITY-COUNTY <u>COUNCIL</u>
PUBLIC HOUSING DIVISION		
INDIANAPOLIS HOUSING AUTHORITY FUND		
1. Personal Services	4,561,325	4,626,674
2. Supplies	2,106,251	2,106,251
3. Other Services and Charges	14,683,553	14,618,204
4. Capital Outlay	<u>14,823,260</u>	<u>14,823,260</u>
TOTAL	36,174,389	36,174,389

SECTION 2. For the expenses and obligations of the HUD Section 8 Special Revenue Fund of the City of Indianapolis, for the fiscal year beginning January 1, 1995 and ending December 31, 1995, the sums of money herein set out are hereby appropriated and ordered set apart out of the HUD Section 8 Special Revenue Fund for the purposes herein specified, subject to the law governing the same:

PUBLIC HOUSING DIVISION		HUD SECTION 8 SPECIAL REVENUE FUND
1. Personal Services	424,230	792,457
2. Supplies	465,000	465,000
3. Other Services and Charges	23,359,078	21,990,851
4. Capital Outlay	<u>102,500</u>	<u>102,500</u>
TOTAL	23,350,808	23,350,808

SECTION 3. (a) The salaries, wages, and compensation of the various officers and employees of the Public Housing Division of the Department of Metropolitan Development for the ensuing year are now fixed and approved in accordance with the schedule set forth in the Mayor's Executive Order No. 9, 1994. Such compensation shall not be increased without approval of the Council or as provided in such wage and salary classification ordinance as may from time to time be adopted for employees of the Public Housing Division of the Department of Metropolitan Development.

(b) The respective amounts herein specified for personal services are hereby appropriated therefore; provided, however, that no person, official, or employee whose salary or compensation has been approved as part of the "Personal Services" appropriations in this ordinance, or any ordinance hereafter adopted, shall have any vested right to receive such amount, except as may be accrued, or otherwise provided by statute. Control as to any decrease shall be vested in the body or executive having direction over the one affected, as provided by law. Provided that, certain employees classified as "exempt" for the purposes of the Fair Labor Standards Act shall be salaried employees, and such salaries shall be paid on an annualized basis. Exempt salaried employees shall, however, be required to work a regularly scheduled 40-hour week. Provided further, that the compensation of

September 28, 1994

employees classified as "non-exempt" for the purposes of the Act may fluctuate from pay period to pay period, in accordance with actual hours worked. Non-exempt employees shall also be required to work a regularly scheduled 40-hour week. Wages and hours of uniformed employees shall be determined in accordance with applicable provisions of the Fair Labor Standards Act.

SECTION 4. To defray the costs of government of the Public Housing Division of the Department of Metropolitan Development in accordance with the appropriations stated in sections 1 and 2 of this ordinance, certain anticipated revenues are allocated as follows:

(a) The Indianapolis Housing Authority Fund for 1995 shall consist of all balances at the end of fiscal 1994 available for transfer into said fund, and all miscellaneous revenues derived from sources connected with the operation of the Authority.

(b) The HUD Section 8 Special Revenue Fund for 1995 shall consist of all balances at the end of fiscal 1994 available for transfer into said fund, all miscellaneous revenues derived from sources connected with the operation of the HUD Section 8 Special Revenue Fund, and amounts allocated herein from the state and federal grants related to the program.

SECTION 5. The budget of said Public Housing Division of the Department of Metropolitan Development shall be carried out with the revenues from taxation provided from the several tax levies fixed in this ordinance, and the miscellaneous receipts of said funds and with the use of portions of current balances, all as indicated on the following tables:

PUBLIC HOUSING DIVISION  
ESTIMATE OF MISCELLANEOUS REVENUE  
INDIANAPOLIS HOUSING AUTHORITY FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
SPECIAL TAXES		
County Option Income Tax	125,000	125,000
ALL OTHER REVENUE		
Intergovernmental	24,362,893	33,209,519
Sale and Lease of Property	1,776,654	2,925,380
Miscellaneous	<u>5,637</u>	<u>130,000</u>
TOTAL	26,270,184	36,413,899

PUBLIC HOUSING DIVISION  
ESTIMATE OF MISCELLANEOUS REVENUE  
HUD SECTION 8 SPECIAL REVENUE FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
ALL OTHER REVENUE		
Federal Grant-HUD	<u>11,416,185</u>	<u>23,350,808</u>
TOTAL	11,416,185	23,350,808

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
INDIANAPOLIS HOUSING AUTHORITY FUND  
1995 NET ASSESSED VALUATION 7,569,805,121  
1994 BILLED NET ASSESSED VALUATION 7,269,767,030

	PUBLISHED <u>BUDGET</u>	CITY-COUNTY <u>COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	1,041,741	1,041,741



2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	27,142,972	27,142,972
3. Additional appropriations necessary to be made July 1 to December 31 of present year	0	0
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	0	0
5. Total expenditures for current year (add lines 2-4)	27,142,972	27,142,972
6. Remaining property taxes to be collected present year	0	0
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	26,270,184	26,270,184
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	26,270,184	26,270,184
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	168,953	168,953
10. Total budget estimate for January 1 to December 31 of incoming year	36,174,389	36,174,389
11. Miscellaneous revenue for January 1 to December 31 of incoming year	36,323,899	36,323,899
12. Property tax to be raised from January 1 to December 31 of incoming year	0	0
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	0	0
14. Estimated December 31 cash balance, of incoming year	318,463	318,463
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0	0
Proposed tax rate for incoming year	0	0

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

HUD SECTION 8 SPECIAL REVENUE FUND

1995 NET ASSESSED VALUATION 7,569,805,121

1994 BILLED NET ASSESSED VALUATION 7,269,767,030

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	0	0
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	0	0
3. Additional appropriations necessary to be made July 1 to December 31 of present year	11,416,185	11,416,185
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	0	0
5. Total expenditures for current year (add lines 2-4)	11,416,185	11,416,185
6. Remaining property taxes to be collected present year	0	0
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	11,416,185	11,416,185

September 28, 1994

8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	11,416,185	11,416,185
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	0	0
10. Total budget estimate for January 1 to December 31 of incoming year	23,350,808	23,350,808
11. Miscellaneous revenue for January 1 to December 31 of incoming year	23,350,808	23,350,808
12. Property tax to be raised from January 1 to December 31 of incoming year	0	0
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	0	0
14. Estimated December 31 cash balance, of incoming year	0	0
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0	0
Proposed tax rate for incoming year	0	0

SECTION 6. This ordinance shall be in full force and effect beginning January 1, 1995, after passage by the City-County Council, approval by the Mayor, and approval by the Tax Boards as required by law.

PROPOSAL NO. 460, 1994. The proposal is the annual budget of the Revenue Bonds Debt Service Funds for 1995. Proposal No. 460, 1994, as amended, was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

2 NAYS: *Black, Gray*

2 NOT PRESENT: *Giffin, Jimison*

Proposal No. 460, 1994, as amended, was retitled FISCAL ORDINANCE NO. 85, 1994 and reads as follows:

#### CITY-COUNTY FISCAL ORDINANCE NO. 85, 1994

A FISCAL ORDINANCE creating the annual budget of the Revenue Serviced Debt Funds of the City of Indianapolis, Indiana, for the fiscal year beginning January 1, 1995 and ending December 31, 1995, appropriating monies for the purpose of defraying the expenses and all outstanding claims and obligations of said Revenue Serviced Debt Funds fixing and establishing the annual rate of taxation and tax levy for the year 1995 for each fund for which a tax levy is authorized, and fixing a time when this ordinance shall take effect.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

ANNUAL BUDGET FOR REVENUE SERVICED DEBT FUNDS  
OF THE CONSOLIDATED CITY OF INDIANAPOLIS

#### SECTION 1. Appropriations for 1995.

For the obligation of government of the Consolidated City of Indianapolis for its Revenue Bonds Debt Service Funds for the fiscal year beginning January 1, 1995, and ending December 31, 1995, the sums of money



set out in this Section are hereby appropriated out of the respective funds (as established and allocated in Section 2), namely the Transportation Revenue Bonds of 1992 Fund, Golf Revenue Bonds of 1994 Fund, Redevelopment Tax Increment Revenue Bonds of 1992 Fund, Redevelopment Tax Increment Revenue Bonds of 1991 Fund, Redevelopment Tax Increment Revenue Bonds of 1990 Fund, and United Airlines Debt Service Fund for the purposes herein specified, subject to the laws governing the same. The sums so appropriated shall be held to include all such expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided by law.

	ORIGINAL PUBLISHED BUDGET APPROPRIATION	BUDGET APPROVED BY CITY-COUNTY COUNCIL
(a) TRANSPORTATION REVENUE BONDS OF 1992 FUND		
3. Other Services and Charges	<u>4,705,176</u>	<u>4,705,176</u>
TOTAL	4,705,176	4,705,176
(b) GOLF REVENUE BONDS OF 1994 FUND		
3. Other Services and Charges	<u>482,440</u>	<u>482,440</u>
TOTAL	482,440	482,440
(c) REDEVELOPMENT TAX INCREMENT REVENUE BONDS OF 1992 FUND		
3. Other Services and Charges	<u>12,930,306</u>	<u>12,930,306</u>
TOTAL	12,930,306	12,930,306
(d) REDEVELOPMENT TAX INCREMENT REVENUE BONDS OF 1991 FUND		
3. Other Services and Charges	<u>1,850,488</u>	<u>1,850,488</u>
TOTAL	1,850,488	1,850,488
(e) REDEVELOPMENT TAX INCREMENT REVENUE BONDS OF 1990 FUND		
3. Other Services and Charges	<u>522,838</u>	<u>522,838</u>
TOTAL	522,838	522,838
(f) UNITED AIRLINES, INC. DEBT SERVICE FUND		
3. Other Services and Charges	<u>9,857,743</u>	<u>9,857,743</u>
TOTAL	9,857,743	9,857,743

SECTION 2. To defray the costs of the appropriation made in Section 1, certain anticipated and estimated revenues are allocations as follows:

(a) Transportation Revenue Bonds of 1992 Fund. The Transportation Revenue Bonds of 1992 Fund for 1994 shall consist of all balances at the end of fiscal 1994 available for transfer into said fund, those distribution of taxes allocated by the state pledged for retirement of debt and interest payment, and all other miscellaneous revenues derived from said Fund, all of which does not involve a general tax levy for the City.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
TRANSPORTATION REVENUE BONDS OF 1992 FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
ALL OTHER REVENUE		
Wheel Tax	0	4,705,000
Interest	0	50,000
Transfer Out - Transportation Gen.	<u>(896,898)</u>	<u>0</u>
Total	(896,898)	4,755,000

September 28, 1994

(b) Golf Revenue Bonds of 1994 Fund. The Golf Revenue Bonds of 1994 Fund also know as the Golf Project Revenue Fund for 1995 shall consist of all balances at the end of fiscal 1994 available for transfer into said fund, and all pledged revenues of various municipal golf courses, and the tax increment distribution of the Whispering Hills tax district, and all other miscellaneous revenues derived from said Fund, all of which does not involve a general tax levy for the City.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
GOLF REVENUE BONDS OF 1994 FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
ALL OTHER REVENUE		
Management Fees	345,392	341,200
Tax Increment	17,571	265,000
Bond Proceeds	185,818	0
Transfer Out- Golf	<u>(72,900)</u>	<u>(117,150)</u>
Total	612,303	489,050

(c) Redevelopment Tax Increment Revenue Bonds of 1992 Fund. The Redevelopment Tax Increment Revenue Bonds of 1992 Fund for 1995 shall consist of all balances at the end of fiscal 1994 available for transfer into said fund and all Circle Centre Mall tax increment disbursements from the Auditor, and all other miscellaneous revenues derived from said Fund, all of which does not involve a general tax levy for the City.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
REDEVELOPMENT TAX INCREMENT REVENUE BONDS OF 1992 FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
ALL OTHER REVENUE		
Tax Increment	<u>6,465,153</u>	<u>12,930,306</u>
Total	6,465,153	12,930,306

(d) Redevelopment Tax Increment Revenue Bonds of 1991 Fund. The Redevelopment Tax Increment Revenue Bonds of 1991 Fund for 1995 shall consist of all balances at the end of fiscal 1994 available for transfer into said fund and all Harding Street tax increment disbursements from the Auditor, and all other miscellaneous revenues derived from said Fund, all of which does not involve a general tax levy for the City.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
REDEVELOPMENT TAX INCREMENT REVENUE BONDS OF 1991  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
ALL OTHER REVENUE		
Tax Increment	529,712	1,059,424
Trustee	<u>0</u>	<u>791,064</u>
Total	529,712	1,850,488

(e) Redevelopment Tax Increment Revenue Bonds of 1990 Fund. The Redevelopment Tax Increment Revenue Bonds of 1990 Fund for 1995 shall consist of all balances at the end of fiscal 1994 available for transfer into said fund and all 86th Street tax increment disbursements from the Auditor, and all other miscellaneous revenues derived from said Fund, all of which does not involve a general tax levy for the City.



CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
REDEVELOPMENT TAX INCREMENT REVENUE BONDS OF 1990  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
ALL OTHER REVENUE		
Tax Increment	261,419	522,838
Total	261,419	522,838

(f) United Airlines, Inc. Debt Service Fund. The United Airlines, Inc. Debt Service Fund for 1995 shall consist of all balances at the end of fiscal 1994 available for transfer into said fund and all United Airlines tax increment disbursements from the Auditor, a portion of the revenues from the County Option Income Tax, and all other miscellaneous revenues derived from said Fund, all of which does not involve a general tax levy for the City.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
UNITED AIRLINES, INC. DEBT SERVICE FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
ALL OTHER REVENUE		
COIT	2,000,000	17,600,000
Tax Increment	249,326	950,000
Total	2,249,326	18,550,000

Section 3. In accordance with law, the appropriations and allocations of revenues are summarized as follows:

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
TRANSPORTATION REVENUE BONDS OF 1992  
1995 NET ASSESSED VALUATION  
1994 BILLED NET ASSESSED VALUATION

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	2,280,715	2,280,715
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	1,383,817	1,383,817
3. Additional appropriations necessary to be made July 1 to December 31 of present year	0	0
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	0	0
5. Total expenditures for current year (add lines 2-4)	1,383,817	1,383,817
6. Remaining property taxes to be collected present year	0	0
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	(896,898)	(896,898)
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	(896,898)	(896,898)
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	0	0

September 28, 1994

10. Total budget estimate for January 1 to December 31 of incoming year	4,705,176	4,705,176
11. Miscellaneous revenue for January 1 to December 31 of incoming year	4,755,000	4,755,000
12. Property tax to be raised from January 1 to December 31 of incoming year	0	0
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	0	0
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	49,824	49,824

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
GOLF REVENUE BONDS OF 1994  
1995 NET ASSESSED VALUATION  
1994 BILLED NET ASSESSED VALUATION

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	0	0
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	0	0
3. Additional appropriations necessary to be made July 1 to December 31 of present year	0	0
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	0	0
5. Total expenditures for current year (add lines 2-4)	0	0
6. Remaining property taxes to be collected present year	0	0
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	612,303	612,303
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	612,303	612,303
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	612,303	612,303
10. Total budget estimate for January 1 to December 31 of incoming year	482,440	482,440
11. Miscellaneous revenue for January 1 to December 31 of incoming year	489,050	489,050
12. Property tax to be raised from January 1 to December 31 of incoming year	0	0
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	0	0
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	618,913	618,913



*Journal of the City-County Council*

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
REDEVELOPMENT TAX INCREMENT REVENUE BONDS OF 1992  
1995 NET ASSESSED VALUATION  
1994 BILLED NET ASSESSED VALUATION

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	920,805	920,805
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	0	0
3. Additional appropriations necessary to be made July 1 to December 31 of present year	7,385,958	7,385,958
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	0	0
5. Total expenditures for current year (add lines 2-4)	7,385,958	7,385,958
6. Remaining property taxes to be collected present year	0	0
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	6,465,153	6,465,153
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	6,465,153	6,465,153
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	0	0
10. Total budget estimate for January 1 to December 31 of incoming year	12,930,306	12,930,306
11. Miscellaneous revenue for January 1 to December 31 of incoming year	12,930,306	12,930,306
12. Property tax to be raised from January 1 to December 31 of incoming year	0	0
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	0	0
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	0	0

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
REDEVELOPMENT TAX INCREMENT REVENUE BONDS OF 1991  
1995 NET ASSESSED VALUATION  
1994 BILLED NET ASSESSED VALUATION

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	205,637	205,637
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	0	0
3. Additional appropriations necessary to be made July 1 to December 31 of present year	735,349	735,349

September 28, 1994

4. Outstanding temporary loans to be paid and not included in lines 2 or 3	0	0
5. Total expenditures for current year (add lines 2-4)	0	0
6. Remaining property taxes to be collected present year	0	0
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	529,712	529,712
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	529,712	529,712
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	0	0
10. Total budget estimate for January 1 to December 31 of incoming year	1,850,488	1,850,488
11. Miscellaneous revenue for January 1 to December 31 of incoming year	1,850,488	1,850,488
12. Property tax to be raised from January 1 to December 31 of incoming year	0	0
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	0	0
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	0	0

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
REDEVELOPMENT TAX INCREMENT REVENUE BONDS OF 1990  
1995 NET ASSESSED VALUATION  
1994 BILLED NET ASSESSED VALUATION

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	11,039	11,039
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	0	0
3. Additional appropriations necessary to be made July 1 to December 31 of present year	272,458	272,458
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	0	0
5. Total expenditures for current year (add lines 2-4)	272,458	272,458
6. Remaining property taxes to be collected present year	0	0
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	261,419	261,419
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	261,419	261,419
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	0	0
10. Total budget estimate for January 1 to December 31 of incoming year	522,838	522,838



11. Miscellaneous revenue for January 1 to December 31 of incoming year	522,838	522,838
12. Property tax to be raised from January 1 to December 31 of incoming year	0	0
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	0	0
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	0	0

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
UNITED AIRLINES, INC. DEBT SERVICE FUND  
1995 NET ASSESSED VALUATION  
1994 BILLED NET ASSESSED VALUATION

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	554,151	554,151
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	0	0
3. Additional appropriations necessary to be made July 1 to December 31 of present year	0	0
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	0	0
5. Total expenditures for current year (add lines 2-4)	0	0
6. Remaining property taxes to be collected present year	0	0
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	2,604,326	2,249,326
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	2,604,326	2,249,326
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	0	0
10. Total budget estimate for January 1 to December 31 of incoming year	9,857,743	9,857,743
11. Miscellaneous revenue for January 1 to December 31 of incoming year	18,105,000	18,550,000
12. Property tax to be raised from January 1 to December 31 of incoming year	0	0
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	0	0
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	11,405,734	11,495,734

SECTION 5. This ordinance shall be in full force and effect beginning January 1, 1995, after passage by the City-County Council, approval by the Mayor, and approval by the Tax Boards as required by law.

PROPOSAL NO. 461, 1994. The proposal is the annual budget for the Marion County Office of Family and Children for 1995. Proposal No. 461, 1994, as amended, was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

2 NOT PRESENT: *Giffin, Jimison*

Proposal No. 461, 1994, as amended, was retitled FISCAL ORDINANCE NO. 86, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 86, 1994

A FISCAL ORDINANCE creating the annual budget for the Marion County Office of Family and Children for the fiscal year beginning January 1, 1995 and ending December 31, 1995 appropriating monies for the purpose of defraying the expenses and all outstanding claims and obligations for the Marion County Office of Family and Children, fixing and establishing the annual rate of taxation and tax levy for the year 1995 for each fund for which a special tax levy is authorized, and fixing a time when this ordinance shall take effect.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. County Welfare appropriations for 1995.

For expenses of the Marion County Office of Family and Children for the year beginning January 1, 1995 and ending December 31, 1995, the sums of money herein set out are hereby appropriated and ordered set apart out of the Welfare General Fund, Family and Children Fund, Welfare Administration Fund, Welfare Medical Care Assistance to Wards Fund, Hospital Care for the Indigent Fund, and County Children With Special Health Care Needs Fund for the purposes herein specified subject to the laws governing the same. The sums so appropriated shall be held to include all such expenditures authorized to be made during the said calendar year, unless otherwise expressly stipulated and provided by law.

1995 ANNUAL BUDGET  
MARION COUNTY OFFICE OF FAMILY AND CHILDREN

	ORIGINAL PUBLISHED BUDGET <u>APPROPRIATION</u>	BUDGET APPROVED BY CITY-COUNTY <u>COUNCIL</u>
MARION COUNTY OFFICE OF FAMILY AND CHILDREN	WELFARE GENERAL FUND	
1. Personal Services		
2. Supplies		
3. Other Services and Charges	8,840,855	8,840,855
4. Capital Outlay		
TOTAL	8,840,855	8,840,855
MARION COUNTY OFFICE OF FAMILY AND CHILDREN	FAMILY AND CHILDREN FUND	
1. Personal Services		
2. Supplies		
3. Other Services and Charges	43,719,784	43,719,784
4. Capital Outlay		
TOTAL	43,719,784	43,719,784

Welfare Administration Fund (not provided)

Welfare Medical Care Assistance to Wards (not provided)

Hospital Care for the Indigent Fund (not provided)

County Children With Special Health Care Needs Fund (not provided)



SECTION 2. Marion County Welfare Bond Sinking Fund appropriations.

For the calendar year 1995, there is hereby appropriated out of the Marion County Welfare Sinking Fund the following:

	ORIGINAL PUBLISHED BUDGET <u>APPROPRIATION</u>	BUDGET APPROVED BY CITY-COUNTY <u>COUNCIL</u>
Principal to be paid	_____	_____
Interest to be paid	_____	_____
Bank Service Charge	_____	_____
TOTAL	_____	_____

SECTION 3. Statements of miscellaneous revenues.

The budget contained in Section 1 and Section 2 for the Marion County Office of Family and Children shall be financed by the use of the miscellaneous receipts of the said funds and portions of current balances as indicated in the following tables and by the revenues from taxation provided from the several tax levies fixed in Section 6 of this ordinance.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
WELFARE GENERAL FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through <u>Dec. 31, 1994</u>	Jan. 01, 1995 through <u>Dec. 31, 1995</u>
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
SPECIAL TAXES		
Financial Institution Tax	234,865	73,581
License Excise Tax	1,408,765	441,265
OTHER REVENUE		
At Risk Child Care	571,378	910,452
Burial of Deceased AFDC Recipients	6,002	30,000
Title Iv-D Reimbursements	632,366	1,000,000
Adoption Assistance	740,695	_____
Foster Care Assistance	1,670,190	_____
Independent Living For Wards	33,494	_____
Repayments & Other Receipts	<u>654,000</u>	_____
TOTAL	5,951,455	2,455,298

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
FAMILY AND CHILDREN FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through <u>Dec. 31, 1994</u>	Jan. 01, 1995 through <u>Dec. 31, 1995</u>
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
SPECIAL TAXES		
Financial Institution Tax	_____	330,075
License Excise Tax	_____	1,979,450
OTHER REVENUE		
Emergency Assistance-Wards	_____	2,050,000
Emergency Assistance Families	_____	500,000
Adoption Assistant	_____	1,739,092
Foster Care Assistance	_____	3,204,004
Independent Living for Wards	_____	32,072
Repayments & Other Receipts	_____	<u>1,305,000</u>
TOTAL	_____	11,139,693

September 28, 1994

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
WELFARE ADMINISTRATION FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
SPECIAL TAXES		
Financial Institution Tax	34,942	69,884
Vehicle License Excise Tax	<u>209,006</u>	<u>465,864</u>
TOTAL	243,948	535,748

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
WELFARE MEDICAL CARE ASSISTANCE TO WARDS FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
SPECIAL TAXES		
Financial Institution Tax	2,152	4,304
Vehicle License Excise Tax	<u>12,453</u>	<u>28,278</u>
TOTAL	14,605	32,582

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
WELFARE BOND SINKING FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
SPECIAL TAXES		
Financial Institution Tax	137,174	_____
Vehicle License Excise Tax	<u>848,312</u>	_____
TOTAL	985,486	_____

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
HOSPITAL CARE FOR THE INDIGENT FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
SPECIAL TAXES		
Financial Institution Tax	2,594	5,188
Vehicle License Excise Tax	<u>15,145</u>	<u>34,217</u>
TOTAL	17,739	39,405



CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
COUNTY CHILDREN WITH SPECIAL HEALTH CARE NEEDS FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<b>SPECIAL TAXES</b>		
Financial Institution Tax	6,790	13,580
Vehicle License Excise Tax	<u>40,724</u>	<u>90,634</u>
<b>TOTAL</b>	<b>47,514</b>	<b>104,214</b>

SECTION 4. Estimates of funds to be raised and proposed tax rates.

The appropriations made in Section 3 shall be financed from the foregoing allocations of revenues and from the proposed rates of taxation calculated as follows:

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
WELFARE GENERAL FUND

1995 NET ASSESSED VALUATION 7,209,338,210

1994 BILLED NET ASSESSED VALUATION 7,269,767,030

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
<b>FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994</b>		
1. June 30 actual cash balance of present year	5,078,205	5,078,205
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	19,560,831	19,560,831
3. Additional appropriations necessary to be made July 1 to December 31 of present year	4,852,275	4,852,275
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	(187,467)	(187,467)
5. Total expenditures for current year (add lines 2-4)	24,225,639	24,225,639
6. Remaining property taxes to be collected present year	13,484,546	13,484,546
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	5,951,455	5,951,455
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	19,436,001	19,436,001
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	288,567	288,567
10. Total budget estimate for January 1 to December 31 of incoming year	8,840,855	8,840,855
11. Miscellaneous revenue for January 1 to December 31 of incoming year	2,455,298	2,455,298
12. Property tax to be raised from January 1 to December 31 of incoming year	7,436,432	6,236,432
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	1,339,442	139,442

September 28, 1994

14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	1,339,442	139,442
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.3396	.3396
Proposed tax rate for incoming year	.1036	.0866

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

FAMILY AND CHILDREN FUND

1995 NET ASSESSED VALUATION 7,209,338,210

1994 BILLED NET ASSESSED VALUATION 7,269,767,030

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	_____	_____
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	_____	_____
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	_____	_____
6. Remaining property taxes to be collected present year	_____	_____
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	_____	_____
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	_____	_____
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	_____	_____
10. Total budget estimate for January 1 to December 31 of incoming year	43,719,784	43,719,784
11. Miscellaneous revenue for January 1 to December 31 of incoming year	11,139,693	11,139,693
12. Property tax to be raised from January 1 to December 31 of incoming year	33,030,091	32,830,091
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	450,000	250,000
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	450,000	250,000
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.0000	.0000
Proposed tax rate for incoming year	.4582	.4554



ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
WELFARE ADMINISTRATION FUND  
1995 NET ASSESSED VALUATION 7,209,338,210  
1994 BILLED NET ASSESSED VALUATION 7,269,767,030

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of presents	_____	_____
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	_____	_____
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	_____	_____
6. Remaining property taxes to be collected present year	2,434,580	2,434,580
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	243,948	243,948
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	2,678,528	2,678,528
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	_____	_____
10. Total budget estimate for January 1 to December 31 of incoming year	_____	_____
11. Miscellaneous revenue for January 1 to December 31 of incoming year	535,748	535,748
12. Property tax to be raised from January 1 to December 31 of incoming year	4,676,829	4,676,829
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	_____	_____
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	_____	_____
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.0633	.0633
Proposed tax rate for incoming year	.0649	.0649

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
WELFARE MEDICAL CARE ASSISTANCE TO WARDS FUND  
1995 NET ASSESSED VALUATION 7,209,338,210  
1994 BILLED NET ASSESSED VALUATION 7,269,767,030

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	_____	_____
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	_____	_____

September 28, 1994

3. Additional appropriations necessary to be made July 1 to December 31 of present year		
4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)		
6. Remaining property taxes to be collected present year	149,998	149,998
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	14,605	14,605
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	164,603	164,603
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)		
10. Total budget estimate for January 1 to December 31 of incoming year		
11. Miscellaneous revenue for January 1 to December 31 of incoming year	32,582	32,582
12. Property tax to be raised from January 1 to December 31 of incoming year	295,701	295,701
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)		
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)		
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.0039	.0039
Proposed tax rate for incoming year	.0041	.0041

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
WELFARE BOND SINKING FUND  
1995 NET ASSESSED VALUATION 7,209,338,210  
1994 BILLED NET ASSESSED VALUATION 7,269,767,030

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	(854,451)	(854,451)
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	9,830,509	9,830,509
3. Additional appropriations necessary to be made July 1 to December 31 of present year		
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	(324,636)	(324,636)
5. Total expenditures for current year (add lines 2-4)	9,505,873	9,505,873
6. Remaining property taxes to be collected present year	9,551,283	9,551,283
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	985,486	985,486
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	10,536,469	10,536,469



*Journal of the City-County Council*

9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 0)	176,445	176,445
10. Total budget estimate for January 1 to December 31 of incoming year	<hr/>	<hr/>
11. Miscellaneous revenue for January 1 to December 31 of incoming year	<hr/>	<hr/>
12. Property tax to be raised from January 1 to December 31 of incoming year	<hr/>	<hr/>
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	176,445	176,445
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	176,445	176,445
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.2485	.2485
Proposed tax rate for incoming year	.0000	.0000

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

HOSPITAL CARE FOR THE INDIGENT FUND

1995 NET ASSESSED VALUATION 7,209,338,210

1994 BILLED NET ASSESSED VALUATION 7,269,767,030

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	<hr/>	<hr/>
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	<hr/>	<hr/>
3. Additional appropriations necessary to be made July 1 to December 31 of present year	<hr/>	<hr/>
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	<hr/>	<hr/>
5. Total expenditures for current year (add lines 2-4)	<hr/>	<hr/>
6. Remaining property taxes to be collected present year	180,767	180,767
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	17,739	17,739
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	198,506	198,506
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	<hr/>	<hr/>
10. Total budget estimate for January 1 to December 31 of incoming year	<hr/>	<hr/>
11. Miscellaneous revenue for January 1 to December 31 of incoming year	39,405	39,405
12. Property tax to be raised from January 1 to December 31 of incoming year	356,658	<hr/>

September 28, 1994

13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	_____	_____
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	_____	_____
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.0047	.0047
Proposed tax rate for incoming year	.0049	.0049

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
COUNTY CHILDREN WITH SPECIAL HEALTH CARE NEEDS FUND  
1995 NET ASSESSED VALUATION 7,209,338,210  
1994 BILLED NET ASSESSED VALUATION 7,269,767,030

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	_____	_____
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	_____	_____
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	_____	_____
6. Remaining property taxes to be collected present year	473,070	473,070
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	47,514	47,514
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	520,584	520,584
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	_____	_____
10. Total budget estimate for January 1 to December 31 of incoming year	_____	_____
11. Miscellaneous revenue for January 1 to December 31 of incoming year	104,214	104,214
12. Property tax to be raised from January 1 to December 31 of incoming year	910,537	910,537
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	_____	_____
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	_____	_____
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.0123	.0123
Proposed tax rate for incoming year	.0126	.0126



SECTION 5. Summary of Public Welfare appropriations and tax levies.

FUND	APPROP.	AMOUNT TO BE RAISED	NET TAX RATE
Welfare General	8,840,855	6,236,432	.0866
Family and Children	43,719,784	32,830,091	.4554
Welfare Administration		4,676,829	.0649
Welfare Medical Care			
Assistance to Wards		295,701	.0041
Welfare Bond Sinking			.0000
Hospital Care for the Indigent		356,358	.0049
County Children With Special Health Care Needs		<u>910,537</u>	<u>.0126</u>
TOTAL WELFARE	52,560,639	45,305,948	.6285

SECTION 6. Marion County Office of Family and Children tax levies.

(a) Welfare General Fund. For the use and benefit of the Welfare General Fund, there is hereby levied and assessed in 1994, collectible in the year 1995, the sum of eight and sixty-six hundredths cents (\$.0866) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the Welfare General Fund in the County Treasury.

(b) Family and Children Fund. For the use and benefit of the Family and Children Fund, there is hereby levied and assessed in 1994, collectible in the year 1995, the sum of Forty-five and fifty-four hundredths cents (\$.4554) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the Family and Children Fund in the County Treasury.

(c) Welfare Administration Fund. For the use and benefit of the Welfare Administration Fund, there is hereby levied and assessed in 1994, collectible in the year 1995, the sum of six and forty-nine hundredths cents (\$.0649) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the Welfare Administration Fund in the County Treasury and transferred to the State of Indiana.

(d) Welfare Medical Care Assistance to Wards. For the use and benefit of the Welfare Medical Care Assistance to Wards Fund, there is hereby levied and assessed in 1994, collectible in the year 1995, the sum of forty-one hundredths cents (\$.0041) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the Welfare Medical Care Assistance to Wards Fund in the County Treasury and transferred to the State of Indiana.

(e) Welfare Bond Sinking Fund. For the use and benefit of the County Welfare Bond Sinking Fund, there is hereby levied and assessed in 1994, collectible in the year 1995, the sum of zero hundredths cents (\$.0000) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the Welfare Bond Sinking Fund in the County Treasury.

(f) Hospital Care for the Indigent Fund. For the use and benefit of the Hospital Care for the Indigent Fund, there is hereby levied and assessed in 1994, collectible in the year 1995, the sum of forty-nine hundredths cents (\$.0049) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the Hospital Care for the Indigent Fund in the County Treasury and transferred to the State of Indiana.

(g) County Children with Special Health Care Needs Fund. For the use and benefit of the County Children With Special Health Care Needs Fund, there is hereby levied and assessed in 1994, collectible in the year 1995, the sum of one and twenty-six hundredths cents (\$.0126) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the County Children With Special Health Care Needs Fund in the County Treasury and transferred to the State of Indiana.

SECTION 7. Collection of tax levies.

The Auditor of Marion County, Indiana, is hereby ordered and directed to place all the tax levies set forth in this ordinance (as approved by the State Board of Tax Commissioners) upon the property tax duplicate.

September 28, 1994

SECTION 8. Effective date.

This ordinance shall be in full force and effect beginning January 1, 1995, after passage by the City-County Council, approval by the Mayor (or passage over his veto), and approval by the County Tax Adjustment Board and State Board of Tax Commissioners as required by law.

PROPOSAL NO. 462, 1994. The proposal is the annual budget for the Metropolitan Emergency Communications Agency for 1995. Proposal No. 462, 1994, as amended, was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

2 NOT PRESENT: *Giffin, Jimison*

Proposal No. 462, 1994, as amended, was retitled FISCAL ORDINANCE NO. 87, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 87, 1994

A FISCAL ORDINANCE creating the annual budget of the Metropolitan Emergency Communications Agency (MECA) of the City of Indianapolis, Indiana, for the fiscal year beginning January 1, 1995 and ending December 31, 1995, appropriating monies for the purpose of defraying the expenses and all outstanding claims and obligations of said MECA Fund, MECA Enhanced 9-1-1 Fund, and the MECA Sinking Fund, fixing and establishing the annual rate of taxation and tax levy for the year 1995 for each fund for which a tax levy is authorized, and fixing a time when this ordinance shall take effect.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. For the expenses of the Metropolitan Emergency Communications Agency of the City of Indianapolis and Marion County for the fiscal year beginning January 1, 1995 and ending December 31, 1995, the sums of money herein set out are hereby appropriated and ordered set apart out of the Metropolitan Emergency Communications Fund for the purposes herein specified, subject to the law governing the same:

1995 ANNUAL BUDGET  
METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY

	ORIGINAL PUBLISHED BUDGET <u>APPROPRIATION</u>	BUDGET APPROVED BY CITY-COUNTY <u>COUNCIL</u>
(a) METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY	METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY FUND	
1. Personal Services	679,123	679,123
2. Supplies	98,950	125,200
3. Other Services and Charges	1,547,362	1,519,524
4. Capital Outlay	<u>105,500</u>	<u>190,500</u>
TOTAL	2,430,935	2,514,347



<u>3,379,674</u>	<u>3,379,674</u>
<u>3,379,674</u>	<u>3,379,674</u>

177,835	177,835
_____	_____
_____	_____
<u>177,835</u>	<u>177,835</u>

ORIGINAL PUBLISHED BUDGET <u>APPROPRIATION</u>	BUDGET APPROVED BY CITY-COUNTY COUNCIL
---	---

<u>3,051,000</u>	<u>3,051,000</u>
<u>3,051,000</u>	<u>3,051,000</u>

Such compensation shall not be increased without approval of the Council or as provided in such wage and salary classification ordinance as may from time to time be adopted for employees of the Metropolitan Emergency Communications Agency, and the respective amounts herein specified for personal services are hereby appropriated therefor; provided, however, that no person, official, or employee whose salary or compensation has been approved as part of the "Personal Services" appropriations in this ordinance, or any ordinance hereafter adopted, shall have any vested right to receive such amount, except as may be accrued, or otherwise provided by statute. Control as to any decrease shall be vested in the body or executive having direction over the one affected, as provided by law. Provided that, certain employees classified as "exempt" for the purposes of the Fair Labor Standards Act shall be salaried employees, and such salaries shall be paid on an annualized basis. Exempt salaried employees shall, however, be required to work a regularly scheduled 40-hour week. Provided further, that the compensation of employees classified as "non-exempt" for the purposes of the Act may fluctuate from pay period to pay period, in accordance with actual hours worked. Non-exempt employees shall also be required to work a regularly scheduled 40-hour week. Wages and hours of uniformed employees shall be determined in accordance with applicable provisions of the Fair Labor Standards Act.

SECTION 4. To defray the costs of government of the Metropolitan Emergency Communications Agency in accordance with the appropriations stated in sections 1 and 2 of this ordinance, certain anticipated and estimated revenues are allocated as follows:

(a) The Metropolitan Emergency Communications Agency Fund for 1995 (County Auditor) shall consist of all balances at the end of fiscal 1994 available for transfer into said fund from the City Controller, and all fees, charges, miscellaneous revenues derived from sources connected with the operation of the Metropolitan Emergency Communications Agency and the portion of County Option Income taxes allocated to such purposes, all of which does not involve a property tax levy for said fund.

(b) The Metropolitan Emergency Communications Agency, Indianapolis Emergency Telephone System Fund for 1995 shall consist of all balances at the end of fiscal 1994 available for transfer into said fund, Enhanced 9-1-1 fees and interest allocated to the Metropolitan Emergency Communications Agency, all of which does not involve a property tax levy for said fund.

(c) The Metropolitan Emergency Communications Agency Sinking Fund for 1995 shall consist of all balances at the end of fiscal 1994 available for transfer into said fund, all miscellaneous revenues derived from sources connected with the operation of the Metropolitan Emergency Communications Agency Sinking Fund, those distributions of taxes allocated by state law on the basis of property taxes levied and assessed as this fund, all amounts received by the levy of a rate tax for this fund on all taxable property located in the Indianapolis Public Safety Communications System and Computer Facilities District (county-wide assessed valuation) by virtue of section 5 of this ordinance.

SECTION 5. There is hereby levied and assessed or confirmed as may be required by law on all real estate and improvements and all business personal property of whatever description, tangible and intangible, and choses in action of every kind and character in the Indianapolis Public Safety Communications System and Computer Facilities District (county-wide assessed valuation), as assessed and returned for taxation in said District for the year 1994, payable in 1995, a tax rate of three and forty-one hundredths cents (\$.0341) for Metropolitan Emergency Communications Agency Sinking Fund on each one hundred dollars (\$100.00) valuation of such district taxable property.

SECTION 6. The budget of said taxing district shall be funded with the revenues from taxation provided from the several tax levies fixed in this ordinance, and the miscellaneous receipts of said funds and with the use of portions of current balances, all as indicated on the following tables:

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
SPECIAL TAXES		
County Option Income Tax	1,000,000	2,000,000
ALL OTHER REVENUE		
E-9-1-1 Telephone Charges	126,117	259,819
Reimbursements	79,789	111,859
Miscellaneous	-0-	10,777
TOTAL	1,205,906	2,382,455



CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY,  
INDIANAPOLIS EMERGENCY TELEPHONE SYSTEM FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
ALL OTHER REVENUE		
E-9-1-1 Telephone Charges	<u>1,649,200</u>	<u>3,379,674</u>
TOTAL	1,649,200	3,379,674

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY SINKING FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
SPECIAL TAXES		
Financial Institution Tax	22,808	54,048
License Excise Tax	103,238	275,220
ALL OTHER REVENUE		
Interest on Investments	<u>6,500</u>	<u>10,000</u>
TOTAL	132,546	339,268

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY FUND  
1995 NET ASSESSED VALUATION 7,569,805,120  
1994 BILLED NET ASSESSED VALUATION 7,269,767,030

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	1,892,502	1,892,502
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	1,412,346	1,412,346
3. Additional appropriations necessary to be made July 1 to December 31 of present year	-0-	-0-
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	-0-	(907,618)
5. Total expenditures for current year (add lines 2-4)	1,412,346	504,728
6. Remaining property taxes to be collected present year	-0-	-0-
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	1,205,906	1,205,906
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	1,205,906	1,205,906
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	1,686,062	2,593,680
10. Total budget estimate for January 1 to December 31 of incoming year	2,464,681	2,692,182

September 28, 1994

11. Miscellaneous revenue for January 1 to December 31 of incoming year	2,254,201	2,382,455
12. Property tax to be raised from January 1 to December 31 of incoming year	-0-	-0-
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	1,475,582	2,283,953
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	1,475,582	2,283,953
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.0000	.0000
Proposed tax rate for incoming year	.0000	.0000

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
 METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY,  
 INDIANAPOLIS EMERGENCY TELEPHONE SYSTEM FUND  
 1995 NET ASSESSED VALUATION 7,569,805,120  
 1994 BILLED NET ASSESSED VALUATION 7,269,767,030

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	293,134	293,134
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	1,657,992	1,657,992
3. Additional appropriations necessary to be made July 1 to December 31 of present year	-0-	-0-
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	-0-	-0-
5. Total expenditures for current year (add lines 2-4)	1,657,992	1,657,992
6. Remaining property taxes to be collected present year	-0-	-0-
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	1,649,200	1,649,200
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	1,649,200	1,649,200
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	284,342	284,342
10. Total budget estimate for January 1 to December 31 of incoming year	3,379,674	3,379,674
11. Miscellaneous revenue for January 1 to December 31 of incoming year	3,379,674	3,379,674
12. Property tax to be raised from January 1 to December 31 of incoming year	-0-	-0-
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	284,342	284,342



*Journal of the City-County Council*

14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	284,342	284,342
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Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.0000	.0000
Proposed tax rate for incoming year	.0000	.0000

ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
 METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY SINKING FUND  
 1995 NET ASSESSED VALUATION 7,569,805,120  
 1994 BILLED NET ASSESSED VALUATION 7,269,767,030

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	244,453	244,453
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	1,473,700	1,473,700
3. Additional appropriations necessary to be made July 1 to December 31 of present year	-0-	-0-
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	-0-	-0-
5. Total expenditures for current year (add lines 2-4)	1,473,700	1,473,700
6. Remaining property taxes to be collected present year	1,199,982	1,199,982
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	132,546	132,546
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	1,332,528	1,332,528
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	103,281	103,281
10. Total budget estimate for January 1 to December 31 of incoming year	3,051,000	3,051,000
11. Miscellaneous revenue for January 1 to December 31 of incoming year	339,268	339,268
12. Property tax to be raised from January 1 to December 31 of incoming year	2,684,037	2,762,979
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	75,586	154,528
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	75,586	154,528
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.0312	.0312
Proposed tax rate for incoming year	.0365	.0365

SECTION 7. Summaries of Appropriations and Tax Levies.

FUND	LEVY ON PROPERTY	AMOUNT TO BE RAISED
Metropolitan Emergency Communications Agency	.0000	-0-
Metropolitan Emergency Communications Agency		
Indianapolis Emergency Telephone System	.0000	-0-
Metropolitan Emergency Communications Agency Sinking	<u>.0365</u>	<u>2,762,979</u>
TOTAL	.0365	2,762,979

SECTION 8. The City Controller shall distribute to the public safety dispatch agencies listed below from the Indianapolis Emergency Telephone System Fund based on actual receipts received from Indiana Bell, only the incremental fees resulting from the increase adopted November 23, 1992 by the City-County Council. Distribution shall be based upon the following percentages:

Indianapolis Police	43.46%
Indianapolis Fire	12.42%
Marion County Sheriff	24.50%
City of Lawrence	5.56%
City of Beech Grove	3.02%
Town of Speedway	2.95%
Perry/Decatur Township	3.26%
Wayne Township	4.83%

SECTION 9. The Auditor of Marion County, be, and he is hereby ordered and directed to place the aforesaid tax levies upon the property tax duplicates; and the County Treasurer of such county, ex-officio city treasurer, be and she is hereby ordered and directed to collect the same for the Metropolitan Emergency Communications Agency of the City of Indianapolis, and make due report thereof as provided by law.

SECTION 10. This ordinance shall be in full force and effect beginning January 1, 1995, after passage by the City-County Council, approval by the Mayor, and approval by the Tax Boards as required by law.

PROPOSAL NO. 463, 1994. The proposal is the annual budget for Indianapolis and Marion County for 1995.

Councillor Schneider stated that since H&H's budget was not approved until earlier in this meeting, an amendment needs to be made to insert H&H's tax levies. He then moved as follows:

Mr. President:

I move to amend Proposal No. 463, 1994, Section 7.03 (e), (f) and (g) by inserting the correct tax levies as underlined:

(e)HEALTH AND HOSPITAL FUND. For the use and benefit of the Health and Hospital Fund, there is hereby levied and assessed in 1994, collectible in the year 1995, the sum of eighty and twenty-six hundredths cents (\$ .8026) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the Health and Hospital Fund.

(f) HEALTH AND HOSPITAL BOND FUND. For the use and benefit of the Health and Hospital Bond Fund, there is hereby levied and assessed in 1994, collectible in the year 1995, the sum of three and thirty-eight hundredths cents (\$ .0338) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the Health and Hospital Bond Fund.

(g)HEALTH AND HOSPITAL CUMULATIVE BUILDING FUND. For the use and benefit of the Health and Hospital Cumulative Building Fund, there is hereby levied and assessed in 1994, collectible in the year 1995, the sum of twenty hundredths cents (\$ .2000) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the Health and Hospital Bond Fund.

Councillor Beadling seconded the motion, and it passed by unanimous voice vote.



Councillor Moriarty Adams moved to divide the question:

Mr. President:

I move to divide the question on the adoption of Proposal No. 463, 1994 by first voting on the budget for the Cumulative Capital Development Funds for the Police Division of the Public Safety and Criminal Justice Committee's portion of the 1995 budget and then on the balance of the proposal.

Councillor Moriarty Adams explained that she would abstain from voting on this portion of the budget due to the appearance of a conflict of interest. Councillor Williams seconded the motion.

Councillor Williams then moved:

Mr. President:

I move to divide the question on the adoption of Proposal No. 463, 1994 by first voting on the budget for the Superior Court, Civil Division, Room Five, and then on the balance of the proposal.

Councillor Williams stated that she would abstain from voting on this portion of the budget due to the appearance of a conflict of interest. Councillor Short seconded this motion.

Councillor West voiced his disapproval of taking out portions of the budget and voting on them separately.

The President then called for a vote on the divisions proposed by Councillor Moriarty Adams's and Councillor Williams' motions. By majority voice vote, the question was divided.

Robert G. Elrod, Parliamentarian, stated that the Council should vote separately on the three divisions made of the budget. The President called for the vote on Section 1.01(n), Department of Public Safety, Police Division, which was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Moriarty Adams*

2 NOT PRESENT: *Giffin, Jimison*

Councillor Moriarty Adams abstained from voting on this budget.

The President called for the vote on appropriating \$201,477 in the County General Fund for the Superior Court, Civil Division, Room Five, which was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, West*

1 NAY: *Ruhmkorff*

1 NOT VOTING: *Williams*

2 NOT PRESENT: *Giffin, Jimison*

Councillor Williams abstained from voting on this budget.

The President called for the vote on the balance of Proposal No. 463, 1994, as amended, which was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, West*  
2 NAYS: *Ruhmkorff, Williams*  
2 NOT PRESENT: *Giffin, Jimison*

The President announced that, as each of the divisions of the budget were adopted, the proposal as amended was adopted. Proposal No. 463, 1994, as amended, was retitled FISCAL ORDINANCE NO. 88, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 88, 1994

1995 ANNUAL BUDGET AND TAX LEVIES FOR  
THE CONSOLIDATED CITY OF INDIANAPOLIS  
AND FOR MARION COUNTY, INDIANA

A FISCAL ORDINANCE adopting the City-County Annual Budget for 1995, appropriating amounts necessary to defray expenses for the operation of every facet of government of the Consolidated City of Indianapolis and of Marion County, for the calendar and fiscal year beginning January 1, 1995, and ending December 31, 1995, establishing the method of financing such expenses by allocating anticipated revenues and expenses, establishing salaries, wages, and compensation rates and limitations with respect to certain employees of the City and County, and levying taxes and fixing the rates of taxation for the purpose of raising revenue to meet the necessary expenses of Indianapolis and Marion County Government and its institutions for the calendar year 1995.

TABLE OF CONTENTS  
ARTICLE ONE  
ANNUAL APPROPRIATIONS  
FOR THE CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY

	Page
Section 1.01. Consolidated City Appropriations for 1995	7
(a) Office of the Mayor	7
(b) Internal Audit	7
(c) City-County Council	7
(d) Cable Communications Agency	7
(e) Office of Corporation Counsel	8
(f) Office of the Controller	8
(g) Purchasing Division	8
(h) Revenue Enhancement Division	8
(i) Office of Youth and Family Services	8
(j) Department of Administration	8
(k) Department of Metropolitan Development	9
(l) Department of Public Works	10
(m) Department of Capital Asset Management	12
(n) Department of Public Safety	14
(o) Department of Parks and Recreation	15
Section 1.02. Marion County Appropriations for 1995	15
(a) County Administrator	16
(b) County Auditor	16
(c) County Commissioners	17
(d) Clerk of the Circuit Court	17
(e) County Election Board	17



(f) Voters Registration	17
(g) County Coroner	17
(h) County Recorder	18
(i) County Treasurer	18
(j) County Surveyor	18
(k) Marion County Healthcare Center	18
(l) County Assessor	18
(m) Center Township Assessor	19
(n) Decatur Township Assessor	19
(o) Franklin Township Assessor	19
(p) Lawrence Township Assessor	20
(q) Perry Township Assessor	20
(r) Pike Township Assessor	20
(s) Warren Township Assessor	20
(t) Washington Township Assessor	21
(u) Wayne Township Assessor	21
(v) Marion County Public Defender Agency	21
(w) Prosecuting Attorney	22
(x) Prosecutor's Child Support IV-D Agency	22
(y) Forensic Services Agency	22
(z) County Sheriff	22
(aa) Community Corrections	23
(bb) Circuit Court	23
(cc) Presiding Judge of the Municipal Court	23
(dd) Marion County Justice Agency	23
(ee) Superior Court, Criminal Division, Room One	24
(ff) Superior Court, Criminal Division, Room Two	24
(gg) Superior Court, Criminal Division, Room Three	24
(hh) Superior Court, Criminal Division, Room Four	24
(ii) Superior Court, Criminal Division, Room Five	24
(jj) Superior Court, Criminal Division, Room Six	25
(kk) Superior Court, Juvenile Division/Detention Center	25
(ll) Superior Court, Criminal Division, Probation Department	26
(mm) Superior Court, Civil Division, Room One	26
(nn) Superior Court, Civil Division, Room Two	26
(oo) Superior Court, Civil Division, Room Three	26
(pp) Superior Court, Civil Division, Room Four	26
(qq) Superior Court, Civil Division, Room Five	27
(rr) Superior Court, Civil Division, Room Six	27
(ss) Superior Court, Civil Division, Room Seven	27
(tt) Superior Court, Probate Division	27
(uu) Superior Court, Title IV-D Court	27
(vv) Marion County Drug Court	27
(ww) Court Administrator Agency	27
(xx) Cooperative Extension Service	28
(yy) Marion County Children's Guardian Home	28
(zz) Information Services Agency	28
Section 1.03. Appropriations for City Sinking Funds for 1995	28
(a) City General Sinking Fund	28
(b) Redevelopment District Sinking Fund	29
(c) Sanitary District Sinking Fund	29
(d) Flood Control District Sinking Fund	29
(e) Metropolitan Thoroughfare District Sinking Fund	29
(f) Metropolitan Park District Sinking Fund	29
Section 1.04. Summary of Appropriations	30

ARTICLE TWO  
MISCELLANEOUS ANNUAL ESTIMATED REVENUES FOR THE  
CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY

Section 2.01. Allocations and Estimates of Revenue of the Consolidated City	34
(a) Consolidated County Fund	35
(b) Community Services Fund	36
(c) Workforce Development Fund	36
(d) Redevelopment General Fund	37
(e) Metropolitan Development General Fund	38
(f) Sanitation General Fund	39
(g) Sanitation Pilot Reserve Fund	39
(h) Air Pollution Control Fund	40
(i) IMAGIS Special Revenue Fund	40
(j) Solid Waste Disposal Fund	41
(k) Flood Control General Fund	41
(l) Maintenance Operations General Fund	42
(m) Transportation General Fund	42
(n) Arterial Roads and Streets Fund	43
(o) Parking Meter Fund	43
(p) Historic Preservation Fund	44
(q) Park General Fund	45
(r) Park General/Golf Fund	46
(s) City Cumulative Capital Development Fund	46
(t) Consolidated County Cumulative Capital Development Fund	47
(u) City General Sinking Fund	47
(v) Redevelopment District Sinking Fund	47
(w) Sanitary District Sinking Fund	48
(x) Flood Control District Sinking Fund	48
(y) Metropolitan Thoroughfare District Sinking Fund	48
(z) Metropolitan Park District Sinking Fund	49
Section 2.02. Statement of Miscellaneous Revenues of Marion County	50
(a) County General Fund	50
(b) Property Reassessment Fund	52
(c) Surveyor's Corner Perpetuation Fund	52
(d) Supplemental Adult Probation Fees Fund	52
(e) Juvenile Probation Fees Fund	52
(f) Guardian Ad Litem Fund	53
(g) County User Fee (Diversion) Fund	53
(h) Alcohol and Drug Services Fund	53
(i) County Extradition Fund	53
(j) Law Enforcement Fund	54
(k) Law Enforcement Equitable Share Fund	54
(l) State and Federal Grants Fund	54
(m) County Corrections Fund	54
(n) Community Corrections Home Detention Fund	55
(o) County Grants Fund	55
(p) Marion County Cumulative Capital Development Fund	55
(q) Supplemental Public Defender Fund	55
(r) County Recorder's Perpetuation Fund	56
(s) Information Services Internal Service Fund	56
Section 2.03. Summary of Miscellaneous Revenue	57

ARTICLE THREE  
ANNUAL APPROPRIATIONS, ESTIMATED REVENUE AND TAX LEVIES  
OF THE CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY

Section 3.01. Estimates of Funds to be Raised and Proposed Tax Levies for the Consolidated City	59
(a) Operating Funds	



(1) Consolidated County Fund	59
(2) Maintenance Operations General Fund	60
(3) Community Services Fund	61
(4) Workforce Development Fund	62
(5) Redevelopment General Fund	63
(6) Metropolitan Development General Fund	64
(7) Sanitation General Fund	65
(8) Sanitation Pilot Reserve Fund	66
(9) Solid Waste Disposal Fund	67
(10) Flood Control General Fund	68
(11) Transportation General Fund	69
(12) Arterial Roads and Streets Fund	70
(13) Parking Meter Fund	71
(14) Historic Preservation Fund	72
(15) Park General Fund	73
(16) Park General/Golf Fund	74
(17) City Cumulative Capital Development Fund	75
(18) Consolidated County Cumulative Capital Development Fund	76
(19) Air Pollution Control Fund	77
(20) IMAGIS Special Revenue Fund	78
(b) Sinking Funds	
(1) City General Sinking Fund	79
(2) Redevelopment District Sinking Fund	80
(3) Sanitary District Sinking Fund	81
(4) Flood Control District Sinking Fund	82
(5) Metropolitan Thoroughfare District Sinking Fund	83
(6) Metropolitan Park District Sinking Fund	84

Section 3.02. Estimates of Funds to be Raised and Proposed Tax Rates for Marion County Government 85

(a) County General Fund	85
(b) Property Reassessment Fund	86
(c) Surveyor's Corner Perpetuation Fund	87
(d) Supplemental Adult Probation Fees Fund	88
(e) Juvenile Probation Fees Fund	89
(f) Guardian Ad Litem Fund	90
(g) County User Fee (Diversion) Fund	91
(h) Alcohol and Drug Services Fund	92
(i) County Extradition Fund	93
(j) Law Enforcement Fund	94
(k) Law Enforcement Equitable Share Fund	95
(l) State and Federal Grants Fund	96
(m) County Corrections Fund	96
(n) Community Corrections Home Detention Fund	96
(o) County Grants Fund	96
(p) Marion County Cumulative Capital Development Fund	97
(q) Supplemental Public Defender Fund	98
(r) County Recorder's Perpetuation Fund	99
(s) Information Services Internal Service Fund	100

ARTICLE FOUR  
MISCELLANEOUS APPROPRIATIONS AND ALLOCATIONS

Section 4.01. State, Local and Federal Grants	100
Section 4.02. Appropriations for Certain Allocated Expenses	101
Section 4.03. Allocation of County Option Income Tax Revenues	101
Section 4.04. Requirement and Allocation of Payments in Lieu of Taxes Revenues	101

Section 4.05. Assistance to Division of Housing and Parks and Recreation Department	101
Section 4.06. Authorization of Dues and Memberships	102
ARTICLE FIVE COMPENSATION OF OFFICERS AND EMPLOYEES	
Section 5.01. Elected Officers	110
Section 5.02. Annual Compensation of Employees of Consolidated City and County	112
Section 5.03. No Vested Rights Created	112
Section 5.04. Enforcement	113
ARTICLE SIX SUMMARIES OF APPROPRIATIONS AND TAX LEVIES	
Section 6.01. Summary of Consolidated City Appropriations and Tax Levies	114
Section 6.02. Summary of County Appropriations and Tax Levies	116
ARTICLE SEVEN LEVY OF PROPERTY TAXES	
Section 7.01. Tax Levies for Consolidated City and its Special Taxing Districts	117
(a) Consolidated County Fund	117
(b) Metropolitan Development General Fund	117
(c) City Sinking Fund	117
(d) Indianapolis Cumulative Capital Development Fund	117
(e) Special Taxing Districts' Funds	117
(1) Redevelopment General Fund	117
(2) Maintenance Operation General Fund	117
(3) Transportation Fund	117
(4) Park General Fund	117
(5) Redevelopment District Sinking Fund	118
(6) Sanitary District Sinking Fund	118
(7) Flood Control District Sinking Fund	118
(8) Park District Sinking Fund	118
(9) Metropolitan Thoroughfare Sinking Fund	118
Section 7.02. Tax Levies for Marion County Government for 1995	118
(a) Consolidated County Fund	118
(b) Marion County Cumulative Capital Development Fund	118
(c) County Bond Sinking Fund	118
(d) Property Reassessment Fund	118
Section 7.03. Tax Levies For Municipal Corporations	118
(a) Public Library Fund	118
(b) Public Library Sinking Fund	119
(c) Indianapolis Public Transportation Corporation General Fund	119
(d) Indianapolis Public Transportation Corporation Bond Sinking Fund	119
(e) Health and Hospital Fund	119
(f) Health and Hospital Bond Fund	119
(g) Health and Hospital Cumulative Building Fund	119



ARTICLE EIGHT  
COLLECTION AND EFFECTIVE DATE

Section 8.01. Collection of Tax Levies	119
Section 8.02. Effective Date	120

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

ARTICLE ONE  
ANNUAL BUDGET AND TAX LEVIES  
OF THE CONSOLIDATED CITY OF INDIANAPOLIS

Section 1.01. Consolidated City Appropriations for 1995.

For the expenses of government of the Consolidated City of Indianapolis and its departments, divisions, officials, special taxing districts, and institutions for the fiscal year beginning January 1, 1995, and ending December 31, 1995, the sums of money set out in this Section are hereby appropriated out of the respective funds (as established and allocated in Section 2.01), namely the Consolidated County Fund, Community Services Fund, Workforce Development Fund, Metropolitan Development General Fund, Redevelopment General Fund, Sanitation General Fund, Sanitation Pilot Reserve Fund, Air Pollution Control Fund, IMAGIS Special Revenue Fund, Solid Waste Disposal Fund, Flood Control General Fund, Maintenance Operations General Fund, Transportation General Fund, Arterial Roads and Streets Fund, Parking Meter Fund, Historic Preservation Fund, Park General Fund, Park General/Golf Fund, City Cumulative Capital Development Fund and Consolidated County Cumulative Capital Development Fund for the purposes herein specified, subject to the laws governing the same. The sums so appropriated shall be held to include all such expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided by law.

	ORIGINAL PUBLISHED BUDGET APPROPRIATION	BUDGET APPROVED BY CITY-COUNTY COUNCIL
(a) OFFICE OF THE MAYOR	CONSOLIDATED COUNTY FUND	
1. Personal Services	890,296	891,675
2. Supplies	17,338	17,338
3. Other Services and Charges	211,504	211,504
4. Capital Outlay	<u>10,000</u>	<u>10,000</u>
TOTAL	1,129,138	1,130,517
(b) INTERNAL AUDIT	CONSOLIDATED COUNTY FUND	
1. Personal Services	469,918	470,571
2. Supplies	3,600	3,600
3. Other Services and Charges	65,807	65,807
4. Capital Outlay	<u>5,900</u>	<u>5,900</u>
TOTAL	545,225	545,878
(c) CITY-COUNTY COUNCIL	CONSOLIDATED COUNTY FUND	
1. Personal Services	902,798	1,058,245
2. Supplies	15,620	16,820
3. Other Services and Charges	478,148	496,750
4. Capital Outlay	<u>13,403</u>	<u>138,154</u>
TOTAL	1,409,969	1,709,969

September 28, 1994

(d) CABLE COMMUNICATIONS AGENCY	CONSOLIDATED COUNTY FUND	
1. Personal Services	407,407	407,907
2. Supplies	5,675	5,675
3. Other Services and Charges	353,581	349,331
4. Capital Outlay	<u>111,429</u>	<u>111,429</u>
TOTAL	878,092	874,342

(e) OFFICE OF CORPORATION COUNSEL	CONSOLIDATED COUNTY FUND	
1. Personal Services	1,779,040	1,781,726
2. Supplies	14,658	14,658
3. Other Services and Charges	1,040,779	1,036,279
4. Capital Outlay	<u>70,900</u>	<u>70,900</u>
TOTAL	2,905,377	2,903,563

(f) OFFICE OF THE CONTROLLER	CONSOLIDATED COUNTY FUND	
1. Personal Services	1,493,177	1,478,019
2. Supplies	19,500	19,500
3. Other Services and Charges	2,583,285	2,583,285
4. Capital Outlay	<u>64,000</u>	<u>64,000</u>
TOTAL	4,159,962	4,144,804

OFFICE OF THE CONTROLLER	SANITATION PILOT RESERVE FUND	
1. Personal Services	_____	_____
2. Supplies	_____	_____
3. Other Services and Charges	_____	4,400,000
4. Capital Outlay	<u>4,400,000</u>	<u>0</u>
TOTAL	4,400,000	4,400,000

(g) PURCHASING DIVISION	CONSOLIDATED COUNTY FUND	
Office of the Controller		
1. Personal Services	824,414	826,156
2. Supplies	14,450	14,450
3. Other Services and Charges	694,331	694,331
4. Capital Outlay	<u>21,700</u>	<u>21,700</u>
TOTAL	1,554,895	1,556,637

(h) REVENUE ENHANCEMENT DIVISION	CONSOLIDATED COUNTY FUND	
Office of the Controller		
1. Personal Services	168,410	168,700
2. Supplies	5,000	5,000
3. Other Services and Charges	85,680	85,680
4. Capital Outlay	<u>5,000</u>	<u>5,000</u>
TOTAL	264,090	264,380

(i) OFFICE OF YOUTH AND FAMILY SERVICES	CONSOLIDATED COUNTY FUND	
1. Personal Services	392,323	392,312
2. Supplies	7,870	7,870
3. Other Services and Charges	2,052,516	2,042,464
4. Capital Outlay	<u>20,500</u>	<u>20,500</u>
TOTAL	2,473,209	2,463,146



(j) DEPARTMENT OF ADMINISTRATION		CONSOLIDATED COUNTY FUND	
Administrative Services Division			
1. Personal Services	1,386,985	1,396,921	
2. Supplies	48,018	48,018	
3. Other Services and Charges	1,390,928	1,390,928	
4. Capital Outlay	<u>96,400</u>	<u>96,400</u>	
TOTAL	2,922,331	2,932,267	

DEPARTMENT OF ADMINISTRATION		CONSOLIDATED COUNTY FUND	
Human Resources Division			
1. Personal Services	910,612	917,491	
2. Supplies	13,200	13,200	
3. Other Services and Charges	267,728	267,728	
4. Capital Outlay	<u>25,000</u>	<u>25,000</u>	
TOTAL	1,216,540	1,223,419	

DEPARTMENT OF ADMINISTRATION		CONSOLIDATED COUNTY FUND	
Real Estate Division			
1. Personal Services	574,934	574,934	
2. Supplies	13,759	13,759	
3. Other Services and Charges	816,465	816,465	
4. Capital Outlay	<u>17,870</u>	<u>17,870</u>	
TOTAL	1,423,028	1,423,028	

DEPARTMENT OF ADMINISTRATION		CONSOLIDATED COUNTY FUND	
Equal Opportunity Division			
1. Personal Services	288,717	255,525	
2. Supplies	5,848	5,848	
3. Other Services and Charges	103,321	103,321	
4. Capital Outlay	<u>3,500</u>	<u>3,500</u>	
TOTAL	401,386	368,194	

DEPARTMENT OF ADMINISTRATION		WORKFORCE DEVELOPMENT FUND	
Workforce Development Division			
1. Personal Services	159,020	150,620	
2. Supplies	2,600	2,600	
3. Other Services and Charges	1,205,071	1,205,071	
4. Capital Outlay	<u>1,366,691</u>	<u>1,358,291</u>	
TOTAL	1,366,691	1,358,291	

DEPARTMENT OF ADMINISTRATION		CONSOLIDATED COUNTY FUND	
Indianapolis Fleet Services Division			
1. Personal Services	3,359,187	3,359,187	
2. Supplies	5,636,200	5,636,200	
3. Other Services and Charges	3,152,400	3,152,400	
4. Capital Outlay	<u>680,000</u>	<u>680,000</u>	
TOTAL	12,827,787	12,827,787	

(k) DEPARTMENT OF METROPOLITAN DEVELOPMENT		METROPOLITAN DEVELOPMENT	
Financial Services Division		GENERAL FUND	
1. Personal Services	527,395	527,395	
2. Supplies	15,089	15,089	
3. Other Services and Charges	232,661	232,661	
4. Capital Outlay	<u>11,000</u>	<u>11,000</u>	
TOTAL	786,145	786,145	

September 28, 1994

DEPARTMENT OF METROPOLITAN DEVELOPMENT		COMMUNITY SERVICES FUND	
Community Development Administration			
1.	Personal Services		
2.	Supplies		
3.	Other Services and Charges	14,282,747	14,282,747
4.	Capital Outlay		
	TOTAL	14,282,747	14,282,747
DEPARTMENT OF METROPOLITAN DEVELOPMENT		METROPOLITAN DEVELOPMENT	
Planning Division		GENERAL FUND	
1.	Personal Services	1,604,551	1,604,551
2.	Supplies	21,995	21,995
3.	Other Services and Charges	3,020,228	3,020,228
4.	Capital Outlay	45,500	45,500
	TOTAL	4,692,274	4,692,274
DEPARTMENT OF METROPOLITAN DEVELOPMENT		METROPOLITAN DEVELOPMENT	
Neighborhood and Development Service Division		GENERAL FUND	
1.	Personal Services	3,661,870	3,661,870
2.	Supplies	78,500	78,500
3.	Other Services and Charges	2,971,733	2,971,733
4.	Capital Outlay	187,925	187,925
	TOTAL	6,900,028	6,900,028
DEPARTMENT OF METROPOLITAN DEVELOPMENT		REDEVELOPMENT GENERAL FUND	
Neighborhood and Development Service Division			
1.	Personal Services	629,695	629,695
2.	Supplies	6,431	6,431
3.	Other Services and Charges	12,414,729	12,414,729
4.	Capital Outlay	660,000	660,000
	TOTAL	13,710,855	13,710,855
DEPARTMENT OF METROPOLITAN DEVELOPMENT		HISTORIC PRESERVATION FUND	
Historic Preservation Commission			
1.	Personal Services	174,573	174,573
2.	Supplies	3,002	3,002
3.	Other Services and Charges	94,660	94,660
4.	Capital Outlay	400	400
	TOTAL	272,635	272,635
(I)	DEPARTMENT OF PUBLIC WORKS	CONSOLIDATED COUNTY FUND	
	Administration		
1.	Personal Services	689,675	689,675
2.	Supplies	239,421	239,421
3.	Other Services and Charges	3,029,043	3,029,043
4.	Capital Outlay	164,800	164,800
	TOTAL	4,122,939	4,122,939
DEPARTMENT OF PUBLIC WORKS		IMAGIS SPECIAL	
Administration		REVENUE FUND	
1.	Personal Services		
2.	Supplies		
3.	Other Services and Charges	420,000	420,000
4.	Capital Outlay		
	TOTAL	420,000	420,000



DEPARTMENT OF PUBLIC WORKS

Contract Compliance Division

1. Personal Services	1,125,920	1,125,920
2. Supplies	30,200	30,200
3. Other Services and Charges	21,159,737	21,159,737
4. Capital Outlay	<u>3,100</u>	<u>3,100</u>
TOTAL	22,318,957	22,318,957

SANITATION GENERAL

DEPARTMENT OF PUBLIC WORKS

Contract Compliance Division

1. Personal Services	103,996	103,996
2. Supplies	9,800	9,800
3. Other Services and Charges	12,245	12,245
4. Capital Outlay	<u>15,450</u>	<u>15,450</u>
TOTAL	141,491	141,491

FLOOD GENERAL FUND

DEPARTMENT OF PUBLIC WORKS

Contract Compliance Division

1. Personal Services	58,936	58,936
2. Supplies	6,200	6,200
3. Other Services and Charges	1,321,890	1,321,890
4. Capital Outlay	<u>3,000</u>	<u>3,000</u>
TOTAL	1,390,026	1,390,026

TRANSPORTATION GENERAL FUND

DEPARTMENT OF PUBLIC WORKS

Solid Waste Management Division

1. Personal Services	302,236	302,236
2. Supplies	199,181	199,181
3. Other Services and Charges	19,159,881	19,159,881
4. Capital Outlay	<u>182,657</u>	<u>182,657</u>
TOTAL	19,843,955	19,843,955

SOLID WASTE DISPOSAL FUND

DEPARTMENT OF PUBLIC WORKS

Maintenance Operations Division

1. Personal Services	15,702,807	15,702,807
2. Supplies	4,582,362	4,582,362
3. Other Services and Charges	9,150,180	9,150,180
4. Capital Outlay	<u>3,469,878</u>	<u>3,469,878</u>
TOTAL	32,905,227	32,905,227

MAINTENANCE OPERATIONS  
GENERAL FUND

DEPARTMENT OF PUBLIC WORKS

Environmental Resources Management Division

1. Personal Services	1,109,828	1,109,828
2. Supplies	57,525	57,525
3. Other Services and Charges	578,990	578,990
4. Capital Outlay	<u>120,625</u>	<u>120,625</u>
TOTAL	1,866,968	1,866,968

AIR POLLUTION CONTROL FUND

DEPARTMENT OF PUBLIC WORKS

Environmental Resources Management Division

1. Personal Services	789,107	789,107
2. Supplies	45,055	45,055
3. Other Services and Charges	968,301	968,301
4. Capital Outlay	<u>24,645</u>	<u>24,645</u>
TOTAL	1,827,108	1,827,108

SANITATION GENERAL FUND

September 28, 1994

(m) DEPARTMENT OF CAPITAL ASSET MANAGEMENT		TRANSPORTATION GENERAL FUND
Finance and Administration Division		
1. Personal Services	2,120,524	2,120,524
2. Supplies	357,560	357,560
3. Other Services and Charges	2,012,704	2,012,704
4. Capital Outlay	<u>495,750</u>	<u>495,750</u>
TOTAL	4,986,538	4,986,538

DEPARTMENT OF CAPITAL ASSET MANAGEMENT		SANITATION GENERAL FUND
Finance and Administration Division		
1. Personal Services	175,815	175,815
2. Supplies	_____	_____
3. Other Services and Charges	_____	_____
4. Capital Outlay	_____	_____
TOTAL	175,815	175,815

DEPARTMENT OF CAPITAL ASSET MANAGEMENT		SANITATION GENERAL FUND
Asset Management Division		
1. Personal Services	1,803,993	1,803,993
2. Supplies	95,766	95,766
3. Other Services and Charges	3,418,218	3,418,218
4. Capital Outlay	<u>3,484,725</u>	<u>3,484,725</u>
TOTAL	8,802,702	8,802,702

DEPARTMENT OF CAPITAL ASSET MANAGEMENT		SOLID WASTE DISPOSAL
Asset Management Division		
1. Personal Services	_____	_____
2. Supplies	_____	_____
3. Other Services and Charges	3,735,000	3,735,000
4. Capital Outlay	_____	_____
TOTAL	3,735,000	3,735,000

DEPARTMENT OF CAPITAL ASSET MANAGEMENT		FLOOD CONTROL GENERAL FUND
Asset Management Division		
1. Personal Services	253,416	253,416
2. Supplies	3,000	3,000
3. Other Services and Charges	78,282	78,282
4. Capital Outlay	<u>153,000</u>	<u>153,000</u>
TOTAL	487,698	487,698

DEPARTMENT OF CAPITAL ASSET MANAGEMENT		TRANSPORTATION GENERAL FUND
Asset Management Division		
1. Personal Services	2,923,848	2,923,848
2. Supplies	126,500	126,500
3. Other Services and Charges	4,093,572	4,093,572
4. Capital Outlay	<u>1,404,850</u>	<u>1,404,850</u>
TOTAL	8,548,770	8,548,770

DEPARTMENT OF CAPITAL ASSET MANAGEMENT		ARTERIAL ROADS AND STREETS FUND
Asset Management Division		
1. Personal Services	_____	_____
2. Supplies	_____	_____
3. Other Services and Charges	6,049,000	6,049,000
4. Capital Outlay	<u>3,585,630</u>	<u>3,585,630</u>
TOTAL	9,634,630	9,634,630



DEPARTMENT OF CAPITAL ASSET MANAGEMENT	PARKING METER FUND	
Asset Management Division		
1. Personal Services		
2. Supplies		
3. Other Services and Charges	400,000	400,000
4. Capital Outlay	400,000	400,000
TOTAL	800,000	800,000

DEPARTMENT OF CAPITAL ASSET MANAGEMENT	CITY CUMULATIVE CAPITAL DEVELOPMENT FUND	
Asset Management Division		
1. Personal Services		
2. Supplies		
3. Other Services and Charges	230,000	230,000
4. Capital Outlay	4,570,000	4,570,000
TOTAL	4,800,000	4,800,000

DEPARTMENT OF CAPITAL ASSET MANAGEMENT	CONSOLIDATED COUNTY CUMULATIVE CAPITAL DEVELOPMENT FUND	
Asset Management Division		
1. Personal Services		
2. Supplies		
3. Other Services and Charges		
4. Capital Outlay	1,250,000	1,250,000
TOTAL	1,250,000	1,250,000

DEPARTMENT OF CAPITAL ASSET MANAGEMENT	PARKING METER FUND	
Parking Operations Division		
1. Personal Services	757,343	757,343
2. Supplies	68,300	68,300
3. Other Services and Charges	835,979	835,979
4. Capital Outlay	38,700	38,700
TOTAL	1,700,322	1,700,322

(n) DEPARTMENT OF PUBLIC SAFETY	CONSOLIDATED COUNTY FUND	
Administration		
1. Personal Services	373,426	373,426
2. Supplies	4,000	4,000
3. Other Services and Charges	88,875	88,875
4. Capital Outlay	5,300	5,300
TOTAL	471,601	471,601

DEPARTMENT OF PUBLIC SAFETY	CONSOLIDATED COUNTY FUND	
Emergency Management Planning Division		
1. Personal Services	157,962	157,962
2. Supplies	8,200	8,200
3. Other Services and Charges	149,722	172,399
4. Capital Outlay	35,838	13,161
TOTAL	351,722	351,722

DEPARTMENT OF PUBLIC SAFETY	CITY CUMULATIVE CAPITAL DEVELOPMENT FUND	
Emergency Management Planning Division		
1. Personal Services		
2. Supplies		
3. Other Services and Charges		
4. Capital Outlay	264,322	264,322
TOTAL	264,322	264,322

September 28, 1994

DEPARTMENT OF PUBLIC SAFETY Police Division		CITY CUMULATIVE CAPITAL DEVELOPMENT FUND	
1. Personal Services			
2. Supplies			
3. Other Services and Charges	1,227,678		1,227,678
4. Capital Outlay	<u>4,164,640</u>		<u>4,164,640</u>
TOTAL	5,392,318		5,392,318

DEPARTMENT OF PUBLIC SAFETY Fire Division		CITY CUMULATIVE CAPITAL DEVELOPMENT FUND	
1. Personal Services			
2. Supplies			
3. Other Services and Charges			
4. Capital Outlay	<u>3,106,000</u>		<u>3,106,000</u>
TOTAL	3,106,000		3,106,000

DEPARTMENT OF PUBLIC SAFETY Weights and Measures Division		CONSOLIDATED COUNTY FUND	
1. Personal Services	247,230		247,230
2. Supplies	1,000		1,000
3. Other Services and Charges	28,730		28,730
4. Capital Outlay	<u>32,400</u>		<u>32,400</u>
TOTAL	309,360		309,360

DEPARTMENT OF PUBLIC SAFETY Animal Control Division		CONSOLIDATED COUNTY FUND	
1. Personal Services	899,239		899,239
2. Supplies	44,075		44,075
3. Other Services and Charges	366,891		366,891
4. Capital Outlay	<u>59,000</u>		<u>59,000</u>
TOTAL	1,369,205		1,369,205

(o) DEPARTMENT OF PARKS AND RECREATION		PARK GENERAL FUND	
1. Personal Services	10,236,512		10,236,512
2. Supplies	1,312,713		1,312,713
3. Other Services and Charges	7,405,126		7,068,826
4. Capital Outlay	<u>193,870</u>		<u>530,170</u>
TOTAL	19,148,221		19,148,221

DEPARTMENT OF PARKS AND RECREATION		CONSOLIDATED COUNTY CUMULATIVE CAPITAL DEVELOPMENT FUND	
1. Personal Services			
2. Supplies			
3. Other Services and Charges			240,000
4. Capital Outlay	<u>3,250,000</u>		<u>3,010,000</u>
TOTAL	3,250,000		3,250,000

DEPARTMENT OF PARKS AND RECREATION Golf Division		PARK GENERAL/GOLF FUND	
1. Personal Services	59,794		59,794
2. Supplies	2,450		2,450
3. Other Services and Charges	558,550		558,550
4. Capital Outlay			
TOTAL	620,794		620,794



Section 1.02. Marion County Appropriations for 1995.

For the expenses of the Marion County government and its institutions for the calendar year beginning January 1, 1995, and ending December 31, 1995, the sums of money set out in this section are hereby appropriated and ordered set apart out of the County General Fund, Property Reassessment Fund, Surveyor's Corner Perpetuation Fund, Supplemental Adult Probation Fees Fund, Juvenile Probation Fees Fund, Guardian Ad Litem Fund, County User Fee Fund, Alcohol and Drug Services Fund, County Extradition Fund, Law Enforcement Fund, Law Enforcement Equitable Share Fund, Supplemental Public Defender Fund, County Recorder's Perpetuation Fund, Information Services Internal Services Fund and Cumulative Capital Development Fund; for the purposes herein specified, subject to the laws governing the same. The sums so appropriated shall be held to include all such expenditures authorized to be made during said calendar year, unless otherwise expressly stipulated and provided by law.

	ORIGINAL PUBLISHED BUDGET <u>APPROPRIATION</u>	BUDGET APPROVED BY CITY-COUNTY <u>COUNCIL</u>
(a) COUNTY ADMINISTRATOR - Dept. 01	COUNTY GENERAL FUND	
1. Personal Services		
2. Supplies	260	260
3. Other Services and Charges	753,856	753,856
4. Capital Outlay		
TOTAL	754,116	754,116
(b) COUNTY AUDITOR - Dept. 02	COUNTY GENERAL FUND	
1. Personal Services	16,089,085	15,212,299
2. Supplies	24,027	24,027
3. Other Services and Charges	11,091,310	11,091,310
4. Capital Outlay	121,727	121,727
TOTAL	27,326,149	26,449,363
COUNTY AUDITOR	PROPERTY REASSESSMENT FUND	
1. Personal Services	260,289	260,289
2. Supplies	3,100	3,100
3. Other Services and Charges	221,000	221,000
4. Capital Outlay	6,000	6,000
TOTAL	490,389	490,389
COUNTY AUDITOR	COUNTY USER FEE FUND	
1. Personal Services	158,225	158,225
2. Supplies		
3. Other Services and Charges		
4. Capital Outlay		
TOTAL	158,225	158,225
COUNTY AUDITOR	COUNTY EXTRADITION FUND	
1. Personal Services	6,508	6,508
2. Supplies		
3. Other Services and Charges		
4. Capital Outlay		
TOTAL	6,508	6,508

September 28, 1994

COUNTY AUDITOR	SUPPLEMENTAL ADULT PROBATION FEES FUND	
1. Personal Services	268,043	268,043
2. Supplies	—	—
3. Other Services and Charges	—	—
4. Capital Outlay	—	—
TOTAL	268,043	268,043

COUNTY AUDITOR	JUVENILE PROBATION FEES FUND	
1. Personal Services	6,232	6,232
2. Supplies	—	—
3. Other Services and Charges	—	—
4. Capital Outlay	—	—
TOTAL	6,232	6,232

COUNTY AUDITOR	LAW ENFORCEMENT FUND	
1. Personal Services	85,236	85,236
2. Supplies	—	—
3. Other Services and Charges	—	—
4. Capital Outlay	—	—
TOTAL	85,236	85,236

COUNTY AUDITOR	ALCOHOL AND DRUG SERVICES FUND	
1. Personal Services	47,304	47,304
2. Supplies	—	—
3. Other Services and Charges	—	—
4. Capital Outlay	—	—
TOTAL	47,304	47,304

(c) COUNTY COMMISSIONERS - Dept. 03	COUNTY GENERAL FUND	
1. Personal Services	38,010	41,485
2. Supplies	1,087	1,087
3. Other Services and Charges	5,696	5,696
4. Capital Outlay	<u>4,088</u>	<u>613</u>
TOTAL	48,881	48,881

(d) CLERK OF THE CIRCUIT COURT - Dept. 04	COUNTY GENERAL FUND	
1. Personal Services	2,090,526	2,090,526
2. Supplies	52,229	52,229
3. Other Services and Charges	1,396,303	1,396,303
4. Capital Outlay	<u>33,802</u>	<u>33,802</u>
TOTAL	3,572,860	3,572,860

(e) COUNTY ELECTION BOARD - Dept. 05	COUNTY GENERAL FUND	
1. Personal Services	1,094,479	1,094,479
2. Supplies	37,400	37,400
3. Other Services and Charges	865,907	865,907
4. Capital Outlay	<u>28,895</u>	<u>28,895</u>
TOTAL	2,026,681	2,026,681

(f) VOTER'S REGISTRATION - Dept. 06	COUNTY GENERAL FUND	
1. Personal Services	467,884	467,884
2. Supplies	35,000	35,000
3. Other Services and Charges	144,982	144,982
4. Capital Outlay	<u>303,861</u>	<u>303,861</u>
TOTAL	951,727	951,727



*Journal of the City-County Council*

(g) COUNTY CORONER - Dept. 07

	COUNTY GENERAL FUND	
1. Personal Services	331,945	331,945
2. Supplies	22,180	22,180
3. Other Services and Charges	652,528	652,528
4. Capital Outlay	<u>5,097</u>	<u>5,097</u>
TOTAL	1,011,750	1,011,750

(h) COUNTY RECORDER - Dept. 08

	COUNTY GENERAL FUND	
1. Personal Services	631,706	631,706
2. Supplies	18,802	18,802
3. Other Services and Charges	287,307	287,307
4. Capital Outlay	<u>6,268</u>	<u>6,268</u>
TOTAL	944,083	944,083

COUNTY RECORDER

1. Personal Services	
2. Supplies	
3. Other Services and Charges	
4. Capital Outlay	
TOTAL	

COUNTY RECORDER'S PERPETUATION FUND

	<u>7,140</u>	<u>18,540</u>
	<u>160,808</u>	<u>179,408</u>
	167,948	197,948

(i) COUNTY TREASURER - Dept. 09

	COUNTY GENERAL FUND	
1. Personal Services	778,693	778,693
2. Supplies	23,049	23,049
3. Other Services and Charges	928,145	928,145
4. Capital Outlay	<u>44,500</u>	<u>89,819</u>
TOTAL	1,774,387	1,819,706

(j) COUNTY SURVEYOR - Dept. 10

	COUNTY GENERAL FUND	
1. Personal Services	311,199	311,199
2. Supplies	10,000	10,000
3. Other Services and Charges	107,469	107,469
4. Capital Outlay	<u>18,642</u>	<u>18,642</u>
TOTAL	447,310	447,310

COUNTY SURVEYOR

1. Personal Services	
2. Supplies	
3. Other Services and Charges	
4. Capital Outlay	
TOTAL	

SURVEYOR'S CORNER PERPETUATION FUND

	<u>5,000</u>	<u>5,000</u>
	<u>17,000</u>	<u>17,000</u>
	22,000	22,000

(k) MARION COUNTY HEALTHCARE CENTER - Dept. 14

	COUNTY GENERAL FUND	
1. Personal Services	4,214,480	721,089
2. Supplies	799,997	133,333
3. Other Services and Charges	1,250,001	304,087
4. Capital Outlay	<u>40,000</u>	<u>6,667</u>
TOTAL	6,304,478	1,165,176

(l) COUNTY ASSESSOR - Dept. 15

	COUNTY GENERAL FUND	
1. Personal Services	335,035	335,035
2. Supplies	5,377	5,377
3. Other Services and Charges	87,307	87,307
4. Capital Outlay	<u>2,716</u>	<u>2,716</u>
TOTAL	430,435	430,435

September 28, 1994

COUNTY ASSESSOR	PROPERTY REASSESSMENT FUND	
1. Personal Services	87,192	87,192
2. Supplies	13,500	13,500
3. Other Services and Charges	317,200	317,200
4. Capital Outlay	<u>20,000</u>	<u>20,000</u>
TOTAL	437,892	437,892

(m) CENTER TOWNSHIP ASSESSOR - Dept. 16	COUNTY GENERAL FUND	
1. Personal Services	856,468	856,468
2. Supplies	13,735	13,735
3. Other Services and Charges	211,125	211,125
4. Capital Outlay	<u>3,066</u>	<u>3,066</u>
TOTAL	1,084,394	1,084,394

CENTER TOWNSHIP ASSESSOR	PROPERTY REASSESSMENT FUND	
1. Personal Services	61,000	61,000
2. Supplies	5,000	5,000
3. Other Services and Charges	25,000	25,000
4. Capital Outlay	<u>5,000</u>	<u>5,000</u>
TOTAL	96,000	96,000

(n) DECATUR TOWNSHIP ASSESSOR - Dept. 17	COUNTY GENERAL FUND	
1. Personal Services	163,539	163,539
2. Supplies	3,696	3,696
3. Other Services and Charges	46,038	46,038
4. Capital Outlay	<u>2,007</u>	<u>2,007</u>
TOTAL	215,280	215,280

DECATUR TOWNSHIP ASSESSOR	PROPERTY REASSESSMENT FUND	
1. Personal Services	19,000	19,000
2. Supplies	37,500	37,500
3. Other Services and Charges	513,800	513,800
4. Capital Outlay	<u>60,000</u>	<u>60,000</u>
TOTAL	630,300	630,300

(o) FRANKLIN TOWNSHIP ASSESSOR - Dept. 18	COUNTY GENERAL FUND	
1. Personal Services	181,596	181,596
2. Supplies	3,323	3,323
3. Other Services and Charges	51,391	51,391
4. Capital Outlay	<u>          </u>	<u>          </u>
TOTAL	236,310	236,310

FRANKLIN TOWNSHIP ASSESSOR	PROPERTY REASSESSMENT FUND	
1. Personal Services	50,000	50,000
2. Supplies	300	300
3. Other Services and Charges	2,600	2,600
4. Capital Outlay	<u>5,000</u>	<u>5,000</u>
TOTAL	57,900	57,900

(p) LAWRENCE TOWNSHIP ASSESSOR - Dept. 19	COUNTY GENERAL FUND	
1. Personal Services	266,153	266,153
2. Supplies	6,600	6,600
3. Other Services and Charges	88,242	88,242
4. Capital Outlay	<u>          </u>	<u>          </u>
TOTAL	360,995	360,995



LAWRENCE TOWNSHIP ASSESSOR		PROPERTY REASSESSMENT FUND	
1.	Personal Services	140,000	140,000
2.	Supplies	4,700	4,700
3.	Other Services and Charges	22,500	22,500
4.	Capital Outlay	<u>6,800</u>	<u>6,800</u>
	TOTAL	174,000	174,000

(q) PERRY TOWNSHIP ASSESSOR - Dept. 20		COUNTY GENERAL FUND	
1.	Personal Services	258,745	258,745
2.	Supplies	6,748	6,748
3.	Other Services and Charges	86,747	86,747
4.	Capital Outlay	<u>2,424</u>	<u>2,424</u>
	TOTAL	354,664	354,664

PERRY TOWNSHIP ASSESSOR		PROPERTY REASSESSMENT FUND	
1.	Personal Services	143,000	143,000
2.	Supplies	6,400	6,400
3.	Other Services and Charges	37,000	37,000
4.	Capital Outlay	<u>10,000</u>	<u>10,000</u>
	TOTAL	196,400	196,400

(r) PIKE TOWNSHIP ASSESSOR - Dept. 21		COUNTY GENERAL FUND	
1.	Personal Services	268,300	268,300
2.	Supplies	4,283	4,283
3.	Other Services and Charges	113,166	113,166
4.	Capital Outlay		
	TOTAL	385,749	385,749

PIKE TOWNSHIP ASSESSOR		PROPERTY REASSESSMENT FUND	
1.	Personal Services	86,525	86,525
2.	Supplies	2,249	2,249
3.	Other Services and Charges	19,000	19,000
4.	Capital Outlay	<u>7,000</u>	<u>7,000</u>
	TOTAL	114,774	114,774

(s) WARREN TOWNSHIP ASSESSOR - Dept. 22		COUNTY GENERAL FUND	
1.	Personal Services	339,765	339,765
2.	Supplies	7,825	7,825
3.	Other Services and Charges	148,192	148,192
4.	Capital Outlay	<u>4,387</u>	<u>4,387</u>
	TOTAL	500,169	500,169

WARREN TOWNSHIP ASSESSOR		PROPERTY REASSESSMENT FUND	
1.	Personal Services	132,501	132,501
2.	Supplies	15,215	15,215
3.	Other Services and Charges	18,500	18,500
4.	Capital Outlay	<u>3,500</u>	<u>3,500</u>
	TOTAL	169,716	169,716

(t) WASHINGTON TOWNSHIP ASSESSOR - Dept. 23		COUNTY GENERAL FUND	
1.	Personal Services	456,200	456,200
2.	Supplies	6,630	6,630
3.	Other Services and Charges	109,126	109,126
4.	Capital Outlay		
	TOTAL	571,956	571,956

September 28, 1994

WASHINGTON TOWNSHIP ASSESSOR		PROPERTY REASSESSMENT FUND	
1. Personal Services	141,998	141,998	
2. Supplies	3,900	3,900	
3. Other Services and Charges	63,711	63,711	
4. Capital Outlay	<u>13,000</u>	<u>13,000</u>	
TOTAL	222,609	222,609	

(u) WAYNE TOWNSHIP ASSESSOR - Dept. 24	COUNTY GENERAL FUND		
1. Personal Services	414,852	414,852	
2. Supplies	2,477	2,477	
3. Other Services and Charges	147,463	147,463	
4. Capital Outlay			
TOTAL	<u>564,792</u>	<u>564,792</u>	

WAYNE TOWNSHIP ASSESSOR		PROPERTY REASSESSMENT FUND	
1. Personal Services	156,148	156,148	
2. Supplies	8,373	8,373	
3. Other Services and Charges	48,738	48,738	
4. Capital Outlay	<u>21,556</u>	<u>21,556</u>	
TOTAL	234,815	234,815	

(v) MARION COUNTY PUBLIC DEFENDER AGENCY - Dept. 29	COUNTY GENERAL FUND		
1. Personal Services	1,761,510	1,761,510	
2. Supplies	30,078	30,078	
3. Other Services and Charges	2,043,222	2,043,222	
4. Capital Outlay	<u>35,000</u>	<u>35,000</u>	
TOTAL	3,869,810	3,869,810	

MARION COUNTY PUBLIC DEFENDER AGENCY	SUPPLEMENTAL PUBLIC DEFENDER FUND		
1. Personal Services			
2. Supplies			
3. Other Services and Charges	<u>358,840</u>	<u>358,840</u>	
4. Capital Outlay			
TOTAL	<u>358,840</u>	<u>358,840</u>	

(w) PROSECUTING ATTORNEY - Dept. 30	COUNTY GENERAL FUND		
1. Personal Services	3,301,917	3,301,917	
2. Supplies	82,765	82,765	
3. Other Services and Charges	1,008,496	1,008,496	
4. Capital Outlay	<u>5,140</u>	<u>5,140</u>	
TOTAL	4,398,318	4,398,318	

PROSECUTING ATTORNEY	COUNTY USER FEE FUND		
1. Personal Services	580,000	580,000	
2. Supplies	5,000	5,000	
3. Other Services and Charges	149,000	149,000	
4. Capital Outlay	<u>20,000</u>	<u>20,000</u>	
TOTAL	754,000	754,000	

(x) PROSECUTOR'S CHILD SUPPORT IV-D AGENCY - Dept. 31	COUNTY GENERAL FUND		
1. Personal Services	1,719,447	1,719,447	
2. Supplies	74,152	74,152	
3. Other Services and Charges	622,528	622,528	
4. Capital Outlay	<u>53,001</u>	<u>53,001</u>	
TOTAL	2,469,128	2,469,128	



(y) FORENSIC SERVICES AGENCY - Dept. 32

	COUNTY GENERAL FUND	
1. Personal Services	1,339,878	1,339,878
2. Supplies	110,000	110,000
3. Other Services and Charges	255,030	255,030
4. Capital Outlay	<u>89,217</u>	<u>89,217</u>
TOTAL	1,794,125	1,794,125

FORENSIC SERVICES AGENCY

	LAW ENFORCEMENT FUND	
1. Personal Services	32,300	32,300
2. Supplies	—	—
3. Other Services and Charges	—	—
4. Capital Outlay	—	—
TOTAL	32,300	32,300

(z) COUNTY SHERIFF - Dept. 33

	COUNTY GENERAL FUND	
1. Personal Services	26,728,286	26,728,286
2. Supplies	1,613,657	1,613,657
3. Other Services and Charges	7,963,543	7,963,543
4. Capital Outlay	<u>10,000</u>	<u>10,000</u>
TOTAL	36,315,486	36,315,486

COUNTY SHERIFF

	COUNTY EXTRADITION FUND	
1. Personal Services	25,374	25,374
2. Supplies	7,000	7,000
3. Other Services and Charges	85,000	85,000
4. Capital Outlay	—	—
TOTAL	117,374	117,374

COUNTY SHERIFF

	CUMULATIVE CAPITAL DEVELOPMENT FUND	
1. Personal Services	—	—
2. Supplies	—	—
3. Other Services and Charges	400,000	400,000
4. Capital Outlay	<u>1,515,000</u>	<u>1,515,000</u>
TOTAL	1,915,000	1,915,000

(aa) COMMUNITY CORRECTIONS - Dept. 34

	COUNTY GENERAL FUND	
1. Personal Services	15,401	37,865
2. Supplies	5,750	7,350
3. Other Services and Charges	450,034	420,354
4. Capital Outlay	<u>32,200</u>	<u>32,200</u>
TOTAL	503,385	497,769

(bb) CIRCUIT COURT - Dept. 35

	COUNTY GENERAL FUND	
1. Personal Services	265,880	265,880
2. Supplies	2,410	2,410
3. Other Services and Charges	49,688	49,688
4. Capital Outlay	<u>864</u>	<u>864</u>
TOTAL	318,842	318,842

(cc) PRESIDING JUDGE OF THE MUNICIPAL COURT - Dept. 36

	COUNTY GENERAL FUND	
1. Personal Services	3,392,412	3,392,412
2. Supplies	144,232	144,232
3. Other Services and Charges	1,458,401	1,458,401
4. Capital Outlay	<u>23,588</u>	<u>23,588</u>
TOTAL	5,018,633	5,018,633

September 28, 1994

PRESIDING JUDGE OF THE MUNICIPAL COURT		SUPPLEMENTAL ADULT PROBATION FEES FUND	
1.	Personal Services	715,000	715,000
2.	Supplies	5,000	5,000
3.	Other Services and Charges	52,415	52,415
4.	Capital Outlay	<u>20,000</u>	<u>20,000</u>
	TOTAL	792,415	792,415
PRESIDING JUDGE OF THE MUNICIPAL COURT		ALCOHOL AND DRUG SERVICES FUND	
1.	Personal Services	184,420	184,420
2.	Supplies	_____	_____
3.	Other Services and Charges	_____	_____
4.	Capital Outlay	_____	_____
	TOTAL	184,420	184,420
(dd)MARION COUNTY JUSTICE AGENCY - Dept. 37		COUNTY GENERAL FUND	
1.	Personal Services	997,462	997,462
2.	Supplies	12,201	12,201
3.	Other Services and Charges	689,825	689,825
4.	Capital Outlay	<u>7,312</u>	<u>7,312</u>
	TOTAL	1,706,800	1,706,800
MARION COUNTY JUSTICE AGENCY		LAW ENFORCEMENT FUND	
1.	Personal Services	300,000	300,000
2.	Supplies	135,000	135,000
3.	Other Services and Charges	1,187,500	1,187,500
4.	Capital Outlay	<u>350,000</u>	<u>350,000</u>
	TOTAL	1,972,500	1,972,500
MARION COUNTY JUSTICE AGENCY		LAW ENFORCEMENT EQUITABLE SHARE FUND	
1.	Personal Services	_____	_____
2.	Supplies	_____	_____
3.	Other Services and Charges	_____	_____
4.	Capital Outlay	<u>603,000</u>	<u>603,000</u>
	TOTAL	603,000	603,000
(ee)SUPERIOR COURT, CRIMINAL DIVISION, ROOM ONE - Dept. 41		COUNTY GENERAL FUND	
1.	Personal Services	223,613	223,613
2.	Supplies	2,700	2,700
3.	Other Services and Charges	63,295	63,295
4.	Capital Outlay	<u>3,292</u>	<u>3,292</u>
	TOTAL	292,900	292,900
(ff)SUPERIOR COURT, CRIMINAL DIVISION, ROOM TWO - Dept. 42		COUNTY GENERAL FUND	
1.	Personal Services	219,641	219,641
2.	Supplies	4,900	4,900
3.	Other Services and Charges	70,761	70,761
4.	Capital Outlay	<u>2,122</u>	<u>2,122</u>
	TOTAL	297,424	297,424



(gg)SUPERIOR COURT, CRIMINAL DIVISION,  
ROOM THREE - Dept. 43

	COUNTY GENERAL FUND	
1. Personal Services	220,100	220,100
2. Supplies	4,000	4,000
3. Other Services and Charges	65,817	65,817
4. Capital Outlay	<u>3,200</u>	<u>3,200</u>
TOTAL	293,117	293,117

(hh)SUPERIOR COURT, CRIMINAL DIVISION,  
ROOM FOUR - Dept. 44

	COUNTY GENERAL FUND	
1. Personal Services	221,226	221,226
2. Supplies	4,100	4,100
3. Other Services and Charges	68,456	68,456
4. Capital Outlay	<u>2,210</u>	<u>2,210</u>
TOTAL	295,992	295,992

(ii)SUPERIOR COURT, CRIMINAL DIVISION,  
ROOM FIVE - Dept. 45

	COUNTY GENERAL FUND	
1. Personal Services	218,280	218,280
2. Supplies	4,000	4,000
3. Other Services and Charges	62,378	62,378
4. Capital Outlay	<u>2,500</u>	<u>2,500</u>
TOTAL	287,158	287,158

(jj)SUPERIOR COURT, CRIMINAL DIVISION,  
ROOM SIX - Dept. 46

	COUNTY GENERAL FUND	
1. Personal Services	222,308	222,308
2. Supplies	4,000	4,000
3. Other Services and Charges	52,471	52,471
4. Capital Outlay	<u>4,000</u>	<u>4,000</u>
TOTAL	282,779	282,779

(kk)SUPERIOR COURT, JUVENILE DIVISION/  
DETENTION CENTER - Dept. 48

	COUNTY GENERAL FUND	
1. Personal Services	5,680,458	5,680,458
2. Supplies	489,631	489,631
3. Other Services and Charges	873,481	873,481
4. Capital Outlay	<u>31,941</u>	<u>31,941</u>
TOTAL	7,075,511	7,075,511

SUPERIOR COURT, JUVENILE DIVISION/  
DETENTION CENTER

	CUMULATIVE CAPITAL DEVELOPMENT FUND	
1. Personal Services		
2. Supplies		
3. Other Services and Charges	<u>1,588,000</u>	<u>1,588,000</u>
4. Capital Outlay		
TOTAL	1,588,000	1,588,000

SUPERIOR COURT, JUVENILE DIVISION/  
DETENTION CENTER

	JUVENILE PROBATION FEES FUND	
1. Personal Services	24,297	24,297
2. Supplies	10,000	10,000
3. Other Services and Charges	40,000	40,000
4. Capital Outlay	<u>20,000</u>	<u>20,000</u>
TOTAL	94,297	94,297

SUPERIOR COURT, JUVENILE DIVISION/ DETENTION CENTER		COUNTY USER FEES FUND	
1. Personal Services		36,863	36,863
2. Supplies			
3. Other Services and Charges			
4. Capital Outlay			
TOTAL		36,863	36,863

SUPERIOR COURT, JUVENILE DIVISION/ DETENTION CENTER		GUARDIAN AD LITEM FUND	
1. Personal Services			
2. Supplies			
3. Other Services and Charges	60,300		60,300
4. Capital Outlay			
TOTAL	60,300		60,300

(II) SUPERIOR COURT, CRIMINAL DIVISION, PROBATION DEPARTMENT - Dept. 50		COUNTY GENERAL FUND	
1. Personal Services	878,391		878,391
2. Supplies	5,962		5,962
3. Other Services and Charges	129,062		129,062
4. Capital Outlay			
TOTAL	1,013,415		1,013,415

SUPERIOR COURT, CRIMINAL DIVISION, PROBATION DEPARTMENT		SUPPLEMENTAL ADULT PROBATION FEES FUND	
1. Personal Services	330,000		330,000
2. Supplies	12,100		12,100
3. Other Services and Charges	25,900		25,900
4. Capital Outlay	<u>12,000</u>		<u>12,000</u>
TOTAL	380,000		380,000

(mm) SUPERIOR COURT, CIVIL DIVISION, ROOM ONE - Dept. 51		COUNTY GENERAL FUND	
1. Personal Services	142,868		142,868
2. Supplies	2,700		2,700
3. Other Services and Charges	53,138		53,138
4. Capital Outlay	<u>500</u>		<u>500</u>
TOTAL	199,206		199,206

(nn) SUPERIOR COURT, CIVIL DIVISION, ROOM TWO - Dept. 52		COUNTY GENERAL FUND	
1. Personal Services	142,868		142,868
2. Supplies	3,778		3,778
3. Other Services and Charges	55,971		55,971
4. Capital Outlay			
TOTAL	202,617		202,617

(oo) SUPERIOR COURT, CIVIL DIVISION, ROOM THREE - Dept. 53		COUNTY GENERAL FUND	
1. Personal Services	142,868		142,868
2. Supplies	2,748		2,748
3. Other Services and Charges	50,888		50,888
4. Capital Outlay	<u>4,065</u>		<u>4,065</u>
TOTAL	200,569		200,569



(pp)SUPERIOR COURT, CIVIL DIVISION,  
ROOM FOUR - Dept. 54

	COUNTY GENERAL FUND	
1. Personal Services	142,868	142,868
2. Supplies	2,000	2,000
3. Other Services and Charges	53,686	53,686
4. Capital Outlay	<u>1,000</u>	<u>1,000</u>
TOTAL	199,554	199,554

(qq)SUPERIOR COURT, CIVIL DIVISION,  
ROOM FIVE - Dept. 55

	COUNTY GENERAL FUND	
1. Personal Services	142,868	142,868
2. Supplies	2,700	2,700
3. Other Services and Charges	53,029	53,029
4. Capital Outlay	<u>2,880</u>	<u>2,880</u>
TOTAL	201,477	201,477

(rr)SUPERIOR COURT, CIVIL DIVISION,  
ROOM SIX - Dept. 56

	COUNTY GENERAL FUND	
1. Personal Services	142,868	142,868
2. Supplies	3,587	3,587
3. Other Services and Charges	51,423	51,423
4. Capital Outlay	<u>2,579</u>	<u>2,579</u>
TOTAL	200,457	200,457

(ss)SUPERIOR COURT, CIVIL DIVISION,  
ROOM SEVEN - Dept. 57

	COUNTY GENERAL FUND	
1. Personal Services	142,868	142,868
2. Supplies	2,700	2,700
3. Other Services and Charges	53,230	53,230
4. Capital Outlay	<u>2,679</u>	<u>2,679</u>
TOTAL	201,477	201,477

(tt)SUPERIOR COURT, PROBATE DIVISION - Dept. 60

	COUNTY GENERAL FUND	
1. Personal Services	362,532	362,532
2. Supplies	4,363	4,363
3. Other Services and Charges	103,288	103,288
4. Capital Outlay	<u>2,991</u>	<u>2,991</u>
TOTAL	473,174	473,174

(uu)SUPERIOR COURT, TITLE IV-D COURT Dept. 65

	COUNTY GENERAL FUND	
1. Personal Services	118,443	118,443
2. Supplies	2,000	2,000
3. Other Services and Charges	43,144	43,144
4. Capital Outlay	<u>700</u>	<u>700</u>
TOTAL	164,287	164,287

(vv)MARION COUNTY DRUG COURT - Dept. 66

	COUNTY GENERAL FUND	
1. Personal Services	122,923	122,923
2. Supplies	2,375	2,375
3. Other Services and Charges	50,175	50,175
4. Capital Outlay	<u>1,837</u>	<u>1,837</u>
TOTAL	177,310	177,310

September 28, 1994

(ww)COURT ADMINISTRATOR AGENCY - Dept. 68	COUNTY GENERAL FUND	
1. Personal Services	400,337	400,337
2. Supplies	14,640	14,640
3. Other Services and Charges	732,825	732,825
4. Capital Outlay	<u>118,023</u>	<u>118,023</u>
TOTAL	1,265,825	1,265,825

COURT ADMINISTRATOR AGENCY	CUMULATIVE CAPITAL DEVELOPMENT FUND	
1. Personal Services	_____	_____
2. Supplies	_____	_____
3. Other Services and Charges	_____	_____
4. Capital Outlay	<u>316,000</u>	<u>316,000</u>
TOTAL	316,000	316,000

(xx)COOPERATIVE EXTENSION SERVICE - Dept. 81	COUNTY GENERAL FUND	
1. Personal Services	191,720	191,720
2. Supplies	38,452	38,452
3. Other Services and Charges	588,026	588,026
4. Capital Outlay	<u>8,411</u>	<u>8,411</u>
TOTAL	826,609	826,609

(yy)MARION COUNTY CHILDREN'S GUARDIAN HOME - Dept. 83	COUNTY GENERAL FUND	
1. Personal Services	1,022,077	1,022,077
2. Supplies	224,898	224,898
3. Other Services and Charges	131,093	181,093
4. Capital Outlay	_____	_____
TOTAL	1,378,068	1,428,068

(zz)INFORMATION SERVICES AGENCY - Dept. 12	INFORMATION SERVICES INTERNAL SERVICES FUND	
1. Personal Services	2,726,957	2,726,957
2. Supplies	210,271	210,271
3. Other Services and Charges	4,887,443	4,887,443
4. Capital Outlay	<u>1,555,600</u>	<u>1,555,600</u>
TOTAL	9,380,271	9,380,271

COUNTY AUDITOR	INFORMATION SERVICES INTERNAL SERVICES FUND	
1. Personal Services	719,464	719,464
2. Supplies	_____	_____
3. Other Services and Charges	_____	_____
4. Capital Outlay	_____	_____
TOTAL	719,464	719,464

Section 1.03. Appropriations for City Sinking Funds for 1995.

For purposes of paying the principal and interest due on the outstanding bonded and other indebtedness of the Consolidated City and its special taxing districts, there are hereby appropriated for 1995 the respective sums hereinafter set forth for the respective funds:



	ORIGINAL PUBLISHED BUDGET <u>APPROPRIATION</u>	BUDGET APPROVED BY CITY-COUNTY <u>COUNCIL</u>
(a) CITY GENERAL SINKING FUND		
1. Personal Services	_____	_____
2. Supplies	_____	_____
3. Other Services and Charges	1,622,461	1,622,461
4. Capital	_____	_____
Total	1,622,461	1,622,461
(b) REDEVELOPMENT DISTRICT SINKING FUND		
1. Personal Services	_____	_____
2. Supplies	_____	_____
3. Other Services and Charges	389,975	389,975
4. Capital Outlay	_____	_____
TOTAL	389,975	389,975
(c) SANITARY DISTRICT SINKING FUND		
1. Personal Services	_____	_____
2. Supplies	_____	_____
3. Other Services and Charges	16,176,300	16,176,300
4. Capital Outlay	_____	_____
TOTAL	16,176,300	16,176,300
(d) FLOOD CONTROL DISTRICT SINKING FUND		
1. Personal Services	_____	_____
2. Supplies	_____	_____
3. Other Services and Charges	3,486,858	3,486,858
4. Capital Outlay	_____	_____
TOTAL	3,486,858	3,486,858
(e) METROPOLITAN THOROUGHFARE DISTRICT SINKING FUND		
1. Personal Services	_____	_____
2. Supplies	_____	_____
3. Other Services and Charges	6,384,285	6,384,285
4. Capital	_____	_____
TOTAL	6,384,285	6,384,285
(g) METROPOLITAN PARK DISTRICT SINKING FUND		
1. Personal Services	_____	_____
2. Supplies	_____	_____
3. Other Services and Charges	2,212,102	2,212,102
4. Capital Outlay	_____	_____
TOTAL	2,212,102	2,212,102

September 28, 1994

Section 1.04. Summary of Appropriations.

SUMMARY OF APPROPRIATIONS						
	General Funds	Special Revenue Funds	Debt Service Funds	Capital Project Funds	Other	Total
Executive & Legislative	23,072,550		30,271,981			53,344,531
Administration	18,774,695	1,358,291				20,132,986
Metropolitan Development	26,089,302	14,555,382				40,644,684
Public Works	100,283,622	420,000				100,703,622
Transportation	26,736,523	12,134,952		6,050,000		44,921,475
Public Safety	2,501,888			8,762,640		11,264,528
Parks	19,769,015			3,250,000		23,019,015
TOTAL	217,227,595	28,468,625	30,271,981	18,062,640		294,030,841



Section 1.04. Summary of Appropriations

SUMMARY OF APPROPRIATIONS						
	General Funds	Special Revenue Funds	Capital Project Funds	Other	Internal Service Funds	Total
County Administration	754,116					754,116
County Auditor	26,449,363	1,061,937			719,464	28,230,764
County Commissioners	48,881					48,881
Clerk of the Circuit Court	3,572,860					3,572,860
County Election Board	2,026,681					2,026,681
Voter's Registration	951,727					951,727
County Coroner	1,011,750					1,011,750
County Recorder	944,083	197,948				1,142,031
County Treasurer	1,819,706					1,819,706
County Surveyor	447,310	22,000				469,310
Information Services Agency					9,380,271	9,380,271
Marion County Healthcare Center	1,165,176					1,165,176
County Assessor	430,435	437,892				868,327
Center Township Assessor	1,084,394	96,000				1,180,394
Decatur Township Assessor	215,280	630,300				845,580
Franklin Township Assessor	236,310	57,900				294,210
Lawrence Township Assessor	360,995	174,000				534,995
Perry Township Assessor	354,664	196,400				551,064
Pike Township Assessor	385,749	114,774				500,523
Warren Township Assessor	500,169	169,716				669,885
Washington Township Assessor	571,956	222,609				794,565
Wayne Township Assessor	564,792	234,815				799,607
Public Defender Agency	3,869,810	358,840				4,228,650
Prosecuting Attorney	4,398,318	754,000				5,152,318
Prosecutor's Child Support IV-D	2,469,128					2,469,128
Forensic Services Agency	1,794,125	32,300				1,826,425
County Sheriff	36,315,486	117,374	1,915,000			38,347,860
Community Corrections	497,769					497,769
Circuit Court	318,842					318,842
Presiding Judge of Municipal Ct	5,018,633	976,835				5,995,468
Marion County Justice Agency	1,706,800	2,575,500				4,282,300
Superior Ct., Criminal Div. I	292,900					292,900
Superior Ct., Criminal Div. II	297,424					297,424

SUMMARY OF APPROPRIATIONS						
	General Funds	Special Revenue Funds	Capital Project Funds	Other	Internal Service Funds	Total
Superior Ct., Criminal Div. III	293,117					293,117
Superior Ct., Criminal Div. IV	295,992					295,992
Superior Ct., Criminal Div. V	287,158					287,158
Superior Ct., Criminal Div. VI	282,779					282,779
Superior Ct., Juvenile Div/Det Ctr	7,075,511	191,460	1,588,000			8,854,971
Superior Ct., Criminal Probation	1,013,415	380,000				1,393,415
Superior Ct., Civil Div. I	199,206					199,206
Superior Ct., Civil Div. II	202,617					202,617
Superior Ct., Civil Div. III	200,569					200,569
Superior Ct., Civil Div. IV	199,554					199,554
Superior Ct., Civil Div. V	201,477					201,477
Superior Ct., Civil Div. VI	200,457					200,457
Superior Ct., Civil Div. VII	201,477					201,477
Superior Ct., Probate Division	473,174					473,174
Superior Ct., Title IV-D Court	164,287					164,287
Marion County Drug Court	177,310					177,310
Court Administrator	1,265,825		316,000			1,581,825
Cooperative Extension Service	826,609					826,609
Children's Guardian Home	1,428,068					1,428,068
TOTAL	115,864,234	9,002,600	3,819,000		10,099,735	138,785,569

ARTICLE TWO  
MISCELLANEOUS ANNUAL ESTIMATED REVENUES  
FOR THE CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY

Section 2.01. Allocation and Estimates of the Consolidated City.

To defray the costs of government of the Consolidated City of Indianapolis and its special taxing districts in accordance with the appropriations stated in Sections 1.01 and 1.03 of this ordinance, the anticipated and estimated revenues of the Consolidated City and its special taxing districts are hereby allocated to the respective funds as herein stated; and in accordance with law and such allocations, the revenues, other than property taxes collectible in 1995, the portions of current balances and the revenues from taxation provided by the several levies fixed in Section 7.01 of this ordinance, are allocated to finance the amounts budgeted from each fund.

(a) CONSOLIDATED COUNTY FUND. The Consolidated County Fund for 1995 shall consist of all balances at the end of fiscal 1994 from the City General Fund, the Consolidated County Fund, the Consolidated County - Indianapolis Fleet Service Fund and the Consolidated County - Office of Youth and Family Services Fund available for transfer into said fund, a portion of the revenue from the County Option Income Tax, a portion of the receipts of state taxes on alcoholic beverages, cigarettes and inheritances, amounts received for city licenses, Municipal Court fees, Controller's fees, and all other miscellaneous revenues derived from sources connected with the operation of those portions of city government whose appropriations are out of the Consolidated County Fund, and all amounts received by the levy of a rate of tax for this fund on all taxable property located in the county as shown in section 3.01. All monies designated for deposit into either City



General Fund or Consolidated County Fund shall be deposited into the Consolidated County Fund, and shall be considered in compliance with the legal requirement for deposits.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
CONSOLIDATED COUNTY FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
<u>SPECIAL TAXES</u>		
County Option Income Tax	186,578	254,000
Financial Institutions Tax	117,260	212,931
License Excise Tax	540,325	1,084,293
Inheritance	646,925	1,521,480
State ABC Excise	367,000	734,921
State ABC Gallonage	331,870	743,665
Cigarette Tax	229,724	455,554
<u>ALL OTHER REVENUE</u>		
Licenses & Permits	219,517	373,000
Charges for Services	1,692,575	2,540,795
Intergovernmental	0	373,000
Sale and Lease of Property	8,932	700,194
Fees for Service	41,607	160,000
Miscellaneous	202,437	501,000
Other Financing	0	175,000
Intragovernmental	17,021,863	20,803,668
Transfers- In- Workforce Deve.	521,596	0
Transfers- In- Transportation Gen	15,000	25,000
Transfers -Out-Air Pollution Fund	<u>(157,680)</u>	<u>(157,680)</u>
TOTAL	21,985,529	30,500,821

(b) COMMUNITY SERVICES FUND. The Community Services Fund (The Housing and Community Development Act of 1974, as amended) for 1995 shall consist of all balances at the end of fiscal 1994 available for transfer into said fund, all monies received by the City of Indianapolis from federal government for the Housing and Community Development Act of 1974, as amended, and any other federal grants, categoric grants, or special revenue sharing relating to these types of programs granted to the City of Indianapolis whose appropriations are out of the Community Services Fund, all of which does not involve a general tax levy for the City.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
COMMUNITY SERVICES FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
<u>ALL OTHER REVENUE</u>		
Community Development Grant	11,740,077	14,032,747
Program Income	<u>119,755</u>	<u>250,000</u>
TOTAL	11,859,832	14,282,747

September 28, 1994

(c) WORKFORCE DEVELOPMENT FUND. The Workforce Development Fund, perviously know as the Youth and Family Service Fund or Job Training Partnership Act Fund, for 1995 consists of all balances at the end of fiscal 1994 available for transfer into said fund, a portion of the revenue received from the County Option Income Tax, all monies received from the federal and state government under grants and revenue sources derived from the Job Training Partnership Act of 1982, as amended, whose appropriations are out of Workforce Development Fund, all of which does not involve a general tax levy for the City.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
WORKFORCE DEVELOPMENT FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
SPECIAL TAXES		
State ABC Gallonage	0	10,000
ALL OTHER REVENUE		
JTPA Federal Grant	6,477,491	214,000
State of Indiana	625,000	625,000
Community Development	62,187	150,000
HUD	350,000	350,000
Other Federal	0	20,800
Transfers Out - Con. County	<u>(521,596)</u>	<u>0</u>
TOTAL	6,993,082	1,369,800

(d) REDEVELOPMENT GENERAL FUND. The Redevelopment General Fund for 1995 shall consist of all balances at the end of fiscal 1994 available for transfer into said fund, all fees, charges and other receipts derived from sources connected with the operation of the Neighborhood & Development Services Division of the Department of Metropolitan Development, those distributions of taxes allocated by state law on the basis of property taxes levied and assessed for this fund, and all amounts received by the levy of a rate of tax for this fund on all taxable property located in the Redevelopment Special Taxing District as shown in Section 3.01.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
REDEVELOPMENT GENERAL FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
SPECIAL TAXES		
Financial Institutions Tax	4,738	9,901
License Excise Tax	22,168	51,060
ALL OTHER REVENUE		
Intergovernmental	11,968,521	8,081,073
Sale and Lease of Property	203,284	0
Fees for Service	2,000	6,000
Miscellaneous	6,545	10,660
Intragovernmental	<u>5,993,008</u>	<u>5,056,547</u>
TOTAL	18,200,264	13,215,241

(e) METROPOLITAN DEVELOPMENT GENERAL FUND. The Metropolitan Development General Fund for 1995 shall consist of all balances at the end of fiscal 1994 available for transfer into said fund, a portion of the revenue from the County Option Income Tax, all fees, charges and other receipts derived from the operation of those activities of the Department of Metropolitan Development the expenditures for which are budgeted as appropriations from the Metropolitan Development General Fund, those distributions of taxes allocated by state law on the basis of property taxes levied and assessed for this fund, and all amounts received by the levy of a



rate of tax for this fund on all taxable property located in the Redevelopment Special Taxing District as shown in Section 3.01.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
METROPOLITAN DEVELOPMENT GENERAL FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
<b>SPECIAL TAXES</b>		
Financial Institutions Tax	0	45,015
License Excise Tax	0	229,225
County Option Income Tax	100,000	200,000
<b>ALL OTHER REVENUE</b>		
Licenses & Permits	2,332,609	4,456,634
Charges for Services	35,102	189,679
Intergovernmental	1,112,862	1,494,491
Sale and Lease of Property	53,734	0
Fees for Service	152,583	366,000
Fines and Penalties	58,699	129,500
Miscellaneous	14,370	57,733
Intragovernmental	2,227,549	2,695,355
Transfers In - Consol. County	1,964,763	0
Transfers In - Transportation Gen.	0	200,000
<b>TOTAL</b>	<b>8,052,271</b>	<b>10,063,632</b>

(f) SANITATION GENERAL FUND. The Sanitation General Fund for 1995 shall consist of all balances at the end of fiscal 1994 available for transfer into said fund, and all fees, charges, and miscellaneous revenues derived from sources connected with the operation of the Sanitation Division of the Department of Public Works, all of which does not involve a general tax levy for said fund.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
SANITATION GENERAL FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
<b>ALL OTHER REVENUE</b>		
Licenses & Permits	258,625	269,500
Charges for Services	23,072,438	50,230,000
Fines and Penalties	60,023	100,000
Miscellaneous	810,600	1,310,000
Transfers Out- Maint. Gen.	(6,438,829)	(12,725,709)
Transfers Out- PILOT Reserve	0	(4,200,000)
<b>TOTAL</b>	<b>17,762,857</b>	<b>34,983,791</b>

(g) SANITATION PILOT RESERVE FUND. The Sanitation Pilot Reserve Fund for 1995 shall consist of 1) all balances as of June 30, 1994 and; 2) other balances transferred from Sanitation General Fund into said fund subsequent to June 30, 1994. Said balances as of June 30, 1994 describe in section 1 above may be transferred to the Consolidated County Fund during 1995 as a payment in lieu of taxes subject to approval by City County Council. All of said funds do not involve a general tax levy.

September 28, 1994

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
SANITATION PILOT RESERVE FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
ALL OTHER REVENUE		
Sanitation General Transfer		4,200,000
TOTAL		4,200,000

(h) AIR POLLUTION CONTROL FUND. The Air Pollution Control Fund for 1995 shall consist of all balances at the end of fiscal 1994 available for transfer into said fund, and all fees, licenses, permits, charges, and miscellaneous revenues derived from sources connected with the operation of the Air Pollution Control Section, Environmental Resources Management Division of the Department of Public Works, all of which does not involve a general tax levy for said fund.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
AIR POLLUTION CONTROL FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
ALL OTHER REVENUE		
Licenses & Permits	454,591	1,515,043
Intergovernmental	0	170,000
Fines and Penalties	50,000	50,000
Miscellaneous	3,000	5,000
Transfers In -Consol. County	157,680	157,680
TOTAL	665,271	1,897,723

(i) IMAGIS SPECIAL REVENUE FUND. The IMAGIS Special Revenue Fund for 1995 shall consist of all balances at the end of fiscal 1994 available for transfer into said fund, and all Consortium fees, charges, and miscellaneous revenues derived from sources connected with the operation of IMAGIS, all of which does not involve a general tax levy for said fund.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
IMAGIS SPECIAL REVENUE FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
ALL OTHER REVENUE		
Consortium Fees	0	420,000
Interest	3,000	2,000
TOTAL	3,000	422,000

(j) SOLID WASTE DISPOSAL FUND. The Solid Waste Disposal Fund for 1995 shall consist of all balances at the end of fiscal 1994 available for transfer into said fund, and all fees, charges, and miscellaneous revenues derived from sources connected with the construction and financing of the Resource Recovery Facility, all of which does not involve a general tax levy for said fund.



CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
SOLID WASTE DISPOSAL FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
ALL OTHER REVENUE		
Charges for Services	8,587,118	16,837,757
Sale and Lease of Property	66,237	158,500
Miscellaneous	22,500	121,000
Transfers In- Solid Waste Collection	<u>6,587,457</u>	<u>6,534,112</u>
TOTAL	15,263,312	23,651,369

(k) FLOOD CONTROL GENERAL FUND. The Flood Control General Fund for 1995 shall consist of all balances at the end of fiscal 1994 available for transfer into said fund, all miscellaneous revenue derived from sources connected with the operation of the Flood Control Division of the Department of Public Works, all of which does not involve a general tax levy for said fund.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
FLOOD CONTROL GENERAL FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
SPECIAL TAXES		
Financial Institution Tax	18,495	0
License Excise Tax	86,184	0
ALL OTHER REVENUE		
Licenses & Permits	100,000	220,000
Charges for Services	0	32,000
Sale and Lease of Property	14,869	168,810
Fines and Penalties	30,000	77,000
Miscellaneous	15,110	45,100
Transfers Out- Maint. Gen.	<u>(949,530)</u>	<u>(339,538)</u>
TOTAL	(684,872)	203,371

(l) MAINTENANCE OPERATIONS GENERAL FUND. The Maintenance Operation General Control Fund for 1995 shall consist funds transferred from Sanitation General Fund, Flood Control General Fund and Transportation General Fund, and all fees, licenses, permits, charges, and miscellaneous revenues derived from sources connected with the operation of the Maintenance Operation Division of the Department of Public Works, those distributions of taxes allocated by state law on the basis of property taxes levied and assessed as this fund, and all amounts received by the levy of a rate of tax for this fund on all the taxable property located in the Flood Control Special Taxing District as shown in Section 3.01.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
MAINTENANCE OPERATIONS GENERAL FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

September 28, 1994

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
<u>SPECIAL TAXES</u>		
Financial Institution Tax	0	37,462
License Excise Tax	0	191,679
<u>ALL OTHER REVENUE</u>		
Transfers Out- Flood	949,530	339,538
Transfers Out- Sanitation	6,438,829	12,725,709
Transfers Out- Transportation	<u>6,541,785</u>	<u>17,750,397</u>
TOTAL	13,930,144	31,044,785

(m) TRANSPORTATION GENERAL FUND. The Transportation Fund for 1995 shall consist of all balances at the end of fiscal 1994 available for transfer into said fund, amounts to be received from the State of Indiana during the fiscal year 1995 and allocated to said City of Indianapolis out of the revenues derived from taxes on gasoline, cigarettes, motor vehicles, and other sources connected therewith, miscellaneous revenues from license fees, federal highway funds, and other operations of the Department of Transportation, County Auto Excise Surtaxes and County Wheel Taxes, all of which does not involve a property tax levy for said fund.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
TRANSPORTATION GENERAL FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
<u>SPECIAL TAXES</u>		
State Motor Vehicle Highway Distributions	10,120,439	20,473,841
Cigarette Tax	848,809	1,639,214
Wheel Tax	6,099,653	6,504,900
<u>ALL OTHER REVENUE</u>		
Licenses & Permits	218,067	309,000
Charges for Services	40,000	260,000
Intergovernmental	40,000	270,000
Sale and Lease of Property	1,000	2,000
Fees for Service	500	1,000
Miscellaneous	785,150	1,585,000
Transfers Out- Consol. County	(15,000)	(25,000)
Transfers Out- DMD General	0	(200,000)
Transfers Out- Maint. General	<u>(6,541,785)</u>	<u>(17,750,397)</u>
TOTAL	11,596,833	13,069,558

(n) ARTERIAL ROADS AND STREETS FUND. The Arterial Roads and Streets Fund for 1995 shall consist of all balances at the end of fiscal 1994 available for transfer into said fund, amounts to be received from the State of Indiana during the fiscal year 1995 and allocated to said City of Indianapolis or Marion County out of revenues derived from taxes on gasoline, and other sources connected therewith, and miscellaneous fees such as interest earned, all of which does not involve a property tax levy for said fund.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
ARTERIAL ROADS AND STREETS FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
<u>SPECIAL TAXES</u>		
State Motor Vehicle Highway	4,066,132	8,863,347



*Journal of the City-County Council*

ALL OTHER REVENUE

Interest on Investments	<u>35,000</u>	<u>60,000</u>
TOTAL	4,101,132	8,923,347

(o) PARKING METER FUND. The Parking Meter Fund for 1995 shall consist of all balances at the end of fiscal 1994 available for transfer into said fund, all amounts to be received from parking meter receipts during the year 1995, those revenues from licenses and permit fees connected with special parking privileges, all of which does not involve a property tax levy for said fund.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
PARKING METER FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through	Jan. 01, 1995 through	
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>	<u>Dec. 31, 1994</u>	<u>Dec. 31, 1995</u>	
ALL OTHER REVENUE			
Charges for Services	955,000	1,810,000	
Fines & Penalties	150,000	200,000	
Miscellaneous	<u>35,000</u>	<u>70,000</u>	
TOTAL	1,140,000	2,080,000	

(p) HISTORIC PRESERVATION FUND. The Historic Preservation Fund for 1995 shall consist of all balances at the end of fiscal 1994 available for transfer into said fund, a portion of the receipts of state taxes on alcoholic beverages, and all fees, charges, and miscellaneous revenues derived from the Historic Preservation Commission, which is a division of the Department of Metropolitan Development, all of which does not involve a general tax levy for said fund.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
HISTORIC PRESERVATION FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through	Jan. 01, 1995 through	
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>	<u>Dec. 31, 1994</u>	<u>Dec. 31, 1995</u>	
SPECIAL TAXES			
State Alcoholic Beverage			
Gallonage Tax Distribution	17,422	45,859	
ALL OTHER REVENUE			
Fees for Services	10,493	25,000	
Miscellaneous	634	2,500	
CDBG	<u>125,000</u>	<u>139,776</u>	
TOTAL	153,549	213,135	

(q) PARK GENERAL FUND. The Park General Fund for 1995 shall consist of all balances at the end of fiscal 1994 available for transfer into said fund, all fees, charges, and other miscellaneous revenue derived from sources connected with the operation of the Department of Parks and Recreation, those distributions of taxes allocated by state law on the basis of property taxes levied and assessed as this fund, and all amounts received by the levy of a rate of tax for this fund on all the taxable property located within the Park Special Taxing District as shown in Section 6.01.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
PARK GENERAL FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

September 28, 1994

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
<u>SPECIAL TAXES</u>		
Financial Institution Tax	125,959	255,132
License Excise Tax	584,170	1,302,907
<u>ALL OTHER REVENUE</u>		
Charges for Services	20,000	43,500
Intergovernmental	263,101	165,000
Sale and Lease of Property	125,000	325,479
Fees for Service	1,160,000	3,466,518
Fines and Penalties	100,000	0
Miscellaneous	230,500	325,067
Transfers In- Sanitation General	229,183	0
Transfers Out- Golf	(70,000)	0
Transfer In- Golf	0	150,000
Transfer In- Gift & Grant	0	40,000
TOTAL	2,767,913	6,073,603

(r) PARK GENERAL/GOLF FUND. The Park General/Golf Fund for 1995 shall consist of all fees, charges, and other miscellaneous revenue derived from sources connected with the operation of the Department of Parks and Recreation.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
PARK GENERAL/GOLF FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
<u>ALL OTHER REVENUE</u>		
Fees for Service	130,343	385,789
Miscellaneous	5,000	10,000
Transfers	392,900	117,150
TOTAL	528,243	512,939

(s) CITY CUMULATIVE CAPITAL DEVELOPMENT FUND. The City Cumulative Capital Development Fund for 1995 shall consist of all balances at the end of fiscal 1994 available for transfer into said fund, those distribution of taxes allocated by state law on the basis of property taxes levied and assessed as this fund, and all amounts received by a levy of a rate of tax for this fund on all taxable property located within the consolidated city as shown in Section 3.01.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
CITY CUMULATIVE CAPITAL DEVELOPMENT FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
<u>SPECIAL TAXES</u>		
Financial Institution Tax	101,535	206,280
License Excise Tax	475,608	1,064,770
<u>ALL OTHER REVENUE</u>		
Sale & Leases	0	598,000
Miscellaneous	100,000	358,000
Transfer In-Sanitation Sinking Fund	1,489,000	0
Transfer In-IPD Training Fund	0	50,796



*Journal of the City-County Council*

Transfer In- Law Tranning Fund	0	574,844
Transfer In- Law Enforcement Fund	<u>0</u>	<u>250,000</u>
TOTAL	2,166,143	3,102,690

(t) CONSOLIDATED COUNTY CUMULATIVE CAPITAL DEVELOPMENT FUND. The Consolidated County Cumulative Capital Development Fund for 1995 shall consist of all balances at the end of fiscal 1994 available for transfer into said fund, and all distributions from the County of the County Cumulative Capital Development Fund, and all other miscellaneous revenues derived from said Fund, all of which does not involve a general tax levy for the City.

CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
CONSOLIDATED COUNTY CUMULATIVE CAPITAL DEVELOPMENT FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
ALL OTHER REVENUE		
County	3,121,335	4,510,607
Interest	<u>45,000</u>	<u>95,000</u>
TOTAL	3,166,335	4,605,607

(u) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
CITY GENERAL SINKING FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
SPECIAL TAXES		
Financial Institution Tax	14,214	30,134
License Excise Tax	66,130	153,598
ALL OTHER REVENUE		
Interest	<u>1,400</u>	<u>3,000</u>
TOTAL	81,744	186,732

(v) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
REDEVELOPMENT DISTRICT SINKING FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
SPECIAL TAXES		
Financial Institution Tax	3,452	6,738
License Excise Tax	16,295	34,915
ALL OTHER REVENUE		
Interest on Investments	<u>1,000</u>	<u>2,000</u>
TOTAL	20,747	43,653

September 28, 1994

(w) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
SANITARY DISTRICT SINKING FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
SPECIAL TAXES		
Financial Institution Tax	174,823	335,530
License Excise Tax	661,146	1,400,534
ALL OTHER REVENUE		
Interest on Investments	21,000	40,000
Defeasance	282,294	0
Satellite Communities	8,302	178,496
Transfer - City Cumulative Capital Dev. Fund	<u>(1,489,000)</u>	<u>0</u>
TOTAL	(341,435)	1,954,560

(x) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
FLOOD CONTROL DISTRICT SINKING FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
SPECIAL TAXES		
Financial Institution Tax	36,040	61,451
License Excise Tax	167,013	313,518
ALL OTHER REVENUE		
Defeasance	89,104	0
Interest on Investments	<u>3,000</u>	<u>6,000</u>
TOTAL	295,157	380,969

(y) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
METROPOLITAN THOROUGHFARE DISTRICT SINKING FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
SPECIAL TAXES		
Financial Institution Tax	61,992	104,837
License Excise Tax	287,624	535,379
ALL OTHER REVENUE		
Defeasance	416,741	0
Interest on Investments	<u>9,500</u>	<u>19,000</u>
TOTAL	775,857	659,216

(z) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
METROPOLITAN PARK DISTRICT SINKING FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995



	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
<u>SPECIAL TAXES</u>		
Financial Institution Tax	16,814	40,720
License Excise Tax	77,760	207,556
<u>ALL OTHER REVENUE</u>		
Interest on Investments	3,000	6,000
Defeasance	<u>136,970</u>	<u>0</u>
TOTAL	234,544	254,276

Section 2.02. Statement of Miscellaneous Revenues of Marion County.

In accordance with law and as hereby allocated, the revenues (other than property taxes) anticipated in financing the budget appropriations set forth in Sections 1.02 and 1.04 of this ordinance shall be financed by the use of the miscellaneous receipts of said funds, portions of current balances, and by the revenues from taxation provided from the several tax levies fixed in Section 7.02 of this ordinance.

(a) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
COUNTY GENERAL FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
<u>TAXES</u>		
Marion County Liens	17,279	20,000
Gross Income Taxes	4,100	6,100
Treasurer's Surplus	345,000	345,000
County Option Income	10,559,461	21,776,144
License Excise	3,109,912	6,759,217
Motor Vehicle Highway Tax	400,000	800,000
Financial Institutions Tax	502,879	1,012,233
Emergency 911	<u>218,235</u>	<u>432,884</u>
TOTAL TAXES	15,156,866	31,151,578
<u>FEES</u>		
Marriage License	34,146	84,000
Domestic Relations	29,692	55,000
Resident Resources	372,670	74,817
Photocopying Fees	7,345	9,260
Auditor's Fees	71,466	75,000
Rent City-County Building Tenants	0	25,700
Clerk's Miscellaneous	21,977	30,000
Court Cost	2,630,482	3,700,000
County Coroner Fees	4,000	11,000
County Surveyor Fees	1,000	1,000
County Recorder Fees	888,260	1,900,000
Incident Fees	12,000	27,600
Demand Fees	35,200	134,000
Tax Search Fees	600	4,200
Ten Percent Cash Bond	15,987	25,000
County Fines	4,140	8,000
Day Center Fees	25,459	2,883
Support/Maintenance Docket Fees	12,853	150,000
Document Fees	109,464	270,000
Late Surrender Fees	42,775	70,000
Rent of County Land	0	4,464
Public Safety Answering Point	<u>104,916</u>	<u>331,035</u>
TOTAL FEES	4,424,432	6,992,959

September 28, 1994

FEDERAL		
Care of Federal Prisoners	754,124	1,200,000
TOTAL FEDERAL	754,124	1,200,000
STATE		
Title IV-A Reimbursement	200,000	400,000
Care of State Prisoners	252,330	425,000
Indirect Cost Recovery	109,376	218,750
Medicaid	2,036,338	837,483
Medicare	277,742	57,117
Title IV-D Reimbursement	1,222,427	2,332,855
Title IV-D Incentive	1,152,086	2,025,503
School Lunch Program	24,369	102,000
ISA Welfare	137,037	0
Welfare Guardian Home	968,428	968,428
TOTAL STATE	6,380,133	7,367,136
LOCAL GOVERNMENT		
Telephone Chargeback		
County	385,367	0
City	514,510	0
Other	9,900	0
ISA City	2,035,895	0
ISA County	3,097,071	0
ISA Health and Hospital	10,090	0
ISA - Other Agencies	24,526	0
Poor Relief All Townships	4,455	0
City Share MCJA	70,000	70,000
Other Reimbursements		8,280
TOTAL LOCAL GOVERNMENT	6,151,814	78,280
INTEREST		
Investment Interest	1,467,928	3,882,800
TOTAL INTEREST	1,467,928	3,882,800
OTHER		
Juvenile Court	1,000	2,880
Sale of Cars	200,000	250,000
Damages/Ins Settlements	30,000	65,000
Sale Other Property	5,000	6,500
Sheriff's Miscellaneous	110,000	175,000
Other	67,625	195,150
TOTAL OTHER	413,625	694,530
TOTAL REVENUE	34,748,922	51,367,283

(b) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
PROPERTY REASSESSMENT FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
SPECIAL TAXES		
Financial Institution Tax	13,745	21,018
Vehicle License Excise Tax	85,001	140,348
ALL OTHER REVENUE		
Interest	45,000	80,000
TOTAL	143,746	241,366



(c) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
SURVEYOR'S CORNER PERPETUATION FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
FEES		
Corner Perpetuation Fees	12,990	29,500
TOTAL	12,990	29,500

(d) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
SUPPLEMENTAL ADULT PROBATION FEES FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
FEES		
Criminal Probation Fees	226,735	500,000
Municipal Probation Fees	593,770	960,000
TOTAL	820,505	1,460,000

(e) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
JUVENILE PROBATION FEES FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
FEES		
Juvenile Probation Fees	32,313	60,000
TOTAL	32,313	60,000

(f) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
GUARDIAN AD LITEM FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
FEES		
Guardian Ad Litem Fees	18,336	60,300
TOTAL	18,336	60,300

(g) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
COUNTY USER FEE FUND (DIVERSION)  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

September 28, 1994

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
FEES		
Pre-Trial Diversion Fees	<u>436,743</u>	<u>840,000</u>
TOTAL	436,743	840,000

(h) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
ALCOHOL AND DRUG SERVICES FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
FEES		
Municipal Court	<u>127,010</u>	<u>222,000</u>
TOTAL	127,010	222,000

(i) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
COUNTY EXTRADITION FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
FEES		
Late Surrender Fees	<u>52,775</u>	<u>80,000</u>
TOTAL	52,775	80,000

(j) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
LAW ENFORCEMENT FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
FEES		
Restitution and Forfeitures	<u>242,400</u>	<u>570,000</u>
TOTAL	242,400	570,000

(k) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
LAW ENFORCEMENT EQUITABLE SHARE FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
FEES		
Restitution and Forfeitures	<u>278,000</u>	<u>500,000</u>
TOTAL	278,000	500,000



(l) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
STATE AND FEDERAL GRANTS FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>	<u>Dec. 31, 1994</u>	<u>Dec. 31, 1995</u>

(Funds are appropriated according to grant fiscal year.)

(m) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
COUNTY CORRECTIONS FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>	<u>Dec. 31, 1994</u>	<u>Dec. 31, 1995</u>

(Appropriated 8/1 - 7/31)

(n) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
COMMUNITY CORRECTIONS HOME DETENTION FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>	<u>Dec. 31, 1994</u>	<u>Dec. 31, 1995</u>

(Funds are appropriated according to grant fiscal year.)

(o) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
COUNTY GRANTS FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>	<u>Dec. 31, 1994</u>	<u>Dec. 31, 1995</u>

(Funds are appropriated according to grant fiscal year.)

(p) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
MARION COUNTY CUMULATIVE CAPITAL REDEVELOPMENT FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

September 28, 1994

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
<u>SPECIAL TAXES</u>		
Financial Institution Tax	55,200	110,397
Vehicle License Excise Tax	341,374	737,181
Transfer to City of Indianapolis	<u>(2,121,335)</u>	<u>(4,510,607)</u>
TOTAL	(1,724,761)	(3,663,029)

(q) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
SUPPLEMENTAL PUBLIC DEFENDER FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
<u>FEES</u>		
Public Defender Fees	11,966	358,840
Transfer from County General Fund	<u>330,000</u>	<u>0</u>
TOTAL	341,966	358,840

(r) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
COUNTY RECORDER'S PERPETUATION FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
<u>FEES</u>		
County Recorder's Fees	<u>69,214</u>	<u>155,000</u>
TOTAL	69,214	155,000

(s) CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY  
ESTIMATE OF MISCELLANEOUS REVENUE  
FROM SOURCES OTHER THAN GENERAL PROPERTY TAXES  
INFORMATION SERVICES INTERNAL SERVICES FUND  
FOR THE PERIOD ENDING DECEMBER 31, 1994 AND DECEMBER 31, 1995

	July 01, 1994 through Dec. 31, 1994	Jan. 01, 1995 through Dec. 31, 1995
<u>ESTIMATED AMOUNTS TO BE RECEIVED</u>		
ISA - Health and Hospital		12,630
ISA - Welfare		175,304
ISA - Outside Agencies		88,621
ISA - County		5,086,211
ISA - City		3,192,293
Telephones - City		893,750
Telephones - County		595,936
Telephones - Other		<u>54,990</u>
TOTAL		10,099,735



Section 2.03. Summary of Miscellaneous Revenue (City).

SUMMARY OF MISCELLANEOUS REVENUE						
	General Funds	Special Revenue Funds	Debt Service Funds	Capital Project Funds	Other	Total
COIT	454,000					454,000
Financial Institution Tax	827,664		579,410	206,280		1,613,354
License Excise Tax	4,662,909		2,645,500	1,064,770		8,373,179
License and Permits	7,143,177					7,143,177
Fees	72,041,243	2,255,000	178,496			74,474,739
Intergovernmental						
Federal	10,369,497	14,867,547				25,237,044
State	25,626,175	9,544,206				35,170,381
Local	75,000			4,510,607		4,585,607
Intragovernmental	28,555,571	289,776				28,845,347
Interest	1,879,658	133,800	76,000	245,000		2,334,458
Transfer-ins	6,802,667			875,640		7,678,307
Other	13,368,327	200,700		806,000		14,375,027
Total	171,805,888	27,291,029	3,479,406	7,708,297		210,284,620

Section 2.03. Summary of Miscellaneous Revenue (County).

SUMMARY OF MISCELLANEOUS REVENUE						
	General Funds	Special Revenue Funds	Capital Project Funds	Other	Internal Service Funds	Total
COIT	21,776,144					21,776,144
Financial Institution Tax	1,012,233	21,018	110,397			1,143,648
License Excise Tax	6,759,217	140,348	737,181			7,636,746
Motor Vehicle Highway	800,000					800,000
License and Permits	84,000					84,000
Fees	6,908,959	3,215,640				10,124,599
Intergovernmental						
Federal	1,200,000					1,200,000
State	7,367,136	50,000				7,417,136
Local	71,000				10,099,735	10,170,735
Intragovernmental						
Interest	3,882,800	80,000				3,962,800
Transfers			(4,510,607)			(4,510,607)
Other	1,505,794	1,070,000				2,575,794
Total	51,367,283	4,577,006	(3,663,029)		10,099,735	62,380,995

September 28, 1994

ARTICLE THREE  
ESTIMATED REVENUES AND TAX LEVIES OF THE  
CONSOLIDATED CITY OF INDIANAPOLIS AND MARION COUNTY

Section 3.01. Estimates of Funds to be Raised and Proposed Tax Levies for the Consolidated City.

In accordance with law and the appropriations and allocations of revenues herein before made, the tax rates for the respective funds are calculated as follows:

(a)(1) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

CONSOLIDATED COUNTY FUND

1995 NET ASSESSED VALUATION \$7,569,805,121

1994 BILLED NET ASSESSED VALUATION \$7,269,767,030

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	7,126,128	7,126,128
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	33,650,126	33,650,126
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	33,650,126	33,650,126
6. Remaining property taxes to be collected present year	6,169,140	6,169,140
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	21,985,529	21,985,529
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	28,154,669	28,154,669
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	1,630,671	1,630,671
10. Total budget estimate for January 1 to December 31 of incoming year	40,735,856	40,992,758
11. Miscellaneous revenue for January 1 to December 31 of incoming year	30,500,821	30,500,821
12. Property tax to be raised from January 1 to December 31 of incoming year	10,574,369	10,885,380
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	_____	_____
14. Estimated December 31 cash balance, of incoming year	1,970,005	2,024,114
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.1604	0.1604
Proposed tax rate for incoming year	0.1438	0.1438
Proposed tax rate for incoming year		

(a)(2) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

MAINTENANCE OPERATIONS GENERAL FUND

1995 NET ASSESSED VALUATION \$7,569,805,121

1994 BILLED NET ASSESSED VALUATION \$7,269,767,030



*Journal of the City-County Council*

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	(217,316)	(217,316)
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	13,712,828	13,712,828
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	13,712,828	13,712,828
6. Remaining property taxes to be collected present year	_____	_____
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	13,930,144	13,930,144
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	13,930,144	13,930,144
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	_____	_____
10. Total budget estimate for January 1 to December 31 of incoming year	32,905,227	32,905,227
11. Miscellaneous revenue for January 1 to December 31 of incoming year	31,044,785	31,044,785
12. Property tax to be raised from January 1 to December 31 of incoming year	1,860,442	1,915,161
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	_____	_____
14. Estimated December 31 cash balance, of incoming year	_____	54,719
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	_____	_____
Proposed tax rate for incoming year	0.0253	0.0253

(a)(3) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
COMMUNITY SERVICES FUND

1995 NET ASSESSED VALUATION \$7,099,182,815

1994 BILLED NET ASSESSED VALUATION \$6,819,796,330

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	1,121	1,121
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	11,860,953	11,860,953
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____

September 28, 1994

5. Total expenditures for current year (add lines 2-4)	11,860,953	11,860,953
6. Remaining property taxes to be collected present year		
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	11,859,832	11,859,832
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	11,859,832	11,859,832
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)		
10. Total budget estimate for January 1 to December 31 of incoming year	14,282,747	14,282,747
11. Miscellaneous revenue for January 1 to December 31 of incoming year	14,282,747	14,282,747
12. Property tax to be raised from January 1 to December 31 of incoming year-		
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)		
14. Estimated December 31 cash balance, of incoming year		
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate		
Proposed tax rate for incoming year		

(a)(4) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
 WORKFORCE DEVELOPMENT FUND  
 1995 NET ASSESSED VALUATION \$7,099,182,815  
 1994 BILLED NET ASSESSED VALUATION \$6,819,796,330

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	1,440,421	1,440,421
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	8,405,099	8,405,099
3. Additional appropriations necessary to be made July 1 to December 31 of present year		
4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)	8,405,099	8,405,099
6. Remaining property taxes to be collected present year		
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	6,993,082	6,993,082
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	6,993,082	6,993,082
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	28,404	28,404
10. Total budget estimate for January 1 to December 31 of incoming year	1,366,691	1,358,291



*Journal of the City-County Council*

11. Miscellaneous revenue for January 1 to December 31 of incoming year	1,369,800	1,369,800
12. Property tax to be raised from January 1 to December 31 of incoming year	<u>                    </u>	<u>                    </u>
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	<u>                    </u>	<u>                    </u>
14. Estimated December 31 cash balance, of incoming year	31,513	39,913
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	<u>                    </u>	<u>                    </u>
Proposed tax rate for incoming year	<u>                    </u>	<u>                    </u>

(a)(5) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
REDEVELOPMENT GENERAL FUND

1995 NET ASSESSED VALUATION \$7,099,182,815

1994 BILLED NET ASSESSED VALUATION \$6,819,796,330

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	1,022,812	1,022,812
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	18,500,329	18,500,329
3. Additional appropriations necessary to be made July 1 to December 31 of present year	<u>                    </u>	<u>                    </u>
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	<u>                    </u>	<u>                    </u>
5. Total expenditures for current year (add lines 2-4)	18,500,329	18,500,329
6. Remaining property taxes to be collected present year	252,635	252,635
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	18,200,264	18,200,264
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	18,452,899	18,452,899
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	975,382	975,382
10. Total budget estimate for January 1 to December 31 of incoming year	13,710,855	13,710,855
11. Miscellaneous revenue for January 1 to December 31 of incoming year	13,215,241	13,215,241
12. Property tax to be raised from January 1 to December 31 of incoming year	496,537	511,141
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	<u>                    </u>	<u>                    </u>
14. Estimated December 31 cash balance, of incoming year	976,305	990,909

September 28, 1994

Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.0070	0.0070
Proposed tax rate for incoming year	0.0072	0.0072

(a)(6) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
METROPOLITAN DEVELOPMENT GENERAL FUND  
1995 NET ASSESSED VALUATION \$7,569,805,121  
1994 BILLED NET ASSESSED VALUATION \$7,269,767,030

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	498,428	498,428
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	7,027,377	7,027,377
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	7,027,377	7,027,377
6. Remaining property taxes to be collected present year	_____	_____
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	8,052,271	8,052,271
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	8,052,271	8,052,271
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	1,523,322	1,523,322
10. Total budget estimate for January 1 to December 31 of incoming year	12,378,447	12,378,447
11. Miscellaneous revenue for January 1 to December 31 of incoming year	10,063,632	10,063,632
12. Property tax to be raised from January 1 to December 31 of incoming year	2,235,472	2,301,221
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	_____	_____
14. Estimated December 31 cash balance, of incoming year	1,443,979	1,509,728
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	_____	_____
Proposed tax rate for incoming year	0.0304	0.0304

(a)(7) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
SANITATION GENERAL FUND  
1995 NET ASSESSED VALUATION \$6,951,235,935  
1994 BILLED NET ASSESSED VALUATION \$6,678,207,190

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	25,689,275	25,689,275



*Journal of the City-County Council*

2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	28,562,881	28,562,881
3. Additional appropriations necessary to be made July 1 to December 31 of present year	<hr/>	<hr/>
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	(2,920,620)	(2,920,620)
5. Total expenditures for current year (add lines 2-4)	25,642,261	25,642,261
6. Remaining property taxes to be collected present year	<hr/>	<hr/>
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	17,762,857	17,762,857
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	17,762,857	17,762,857
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	17,809,871	17,809,871
10. Total budget estimate for January 1 to December 31 of incoming year	33,124,582	33,124,582
11. Miscellaneous revenue for January 1 to December 31 of incoming year	34,983,791	34,983,791
12. Property tax to be raised from January 1 to December 31 of incoming year	<hr/>	<hr/>
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	<hr/>	<hr/>
14. Estimated December 31 cash balance, of incoming year	19,669,080	19,669,080
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	<hr/>	<hr/>
Proposed tax rate for incoming year	<hr/>	<hr/>

(a)(8) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
 SANITATION PILOT RESERVE FUND  
 1995 NET ASSESSED VALUATION \$6,951,235,935  
 1994 BILLED NET ASSESSED VALUATION \$6,678,207,190

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	9,072,026	9,072,026
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	<hr/>	<hr/>
3. Additional appropriations necessary to be made July 1 to December 31 of present year	4,400,000	4,400,000
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	<hr/>	<hr/>
5. Total expenditures for current year (add lines 2-4)	4,400,000	4,400,000
6. Remaining property taxes to be collected present year	<hr/>	<hr/>
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	<hr/>	<hr/>

September 28, 1994

8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	_____	_____
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	4,672,026	4,672,026
10. Total budget estimate for January 1 to December 31 of incoming year	4,400,000	4,400,000
11. Miscellaneous revenue for January 1 to December 31 of incoming year	4,200,000	4,200,000
12. Property tax to be raised from January 1 to December 31 of incoming year	_____	_____
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	_____	_____
14. Estimated December 31 cash balance, of incoming year	4,472,026	4,472,026
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	_____	_____
Proposed tax rate for incoming year	_____	_____

(a)(9) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
SOLID WASTE DISPOSAL FUND  
1995 NET ASSESSED VALUATION \$7,110,477,759  
1994 BILLED NET ASSESSED VALUATION \$6,830,752,520

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1992		
1. June 30 actual cash balance of present year	5,332,161	5,332,161
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	17,897,434	17,897,434
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	17,897,434	17,897,434
6. Remaining property taxes to be collected present year	_____	_____
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	15,263,312	15,263,312
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	15,263,312	15,263,312
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	2,698,039	2,698,039
10. Total budget estimate for January 1 to December 31 of incoming year	23,578,955	23,578,955
11. Miscellaneous revenue for January 1 to December 31 of incoming year	23,651,369	23,651,369
12. Property tax to be raised from January 1 to December 31 of incoming year	_____	_____



13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)		
14. Estimated December 31 cash balance, of incoming year	2,770,453	2,770,453
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate		
Proposed tax rate for incoming year		

(a)(10) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
FLOOD CONTROL GENERAL FUND

1995 NET ASSESSED VALUATION \$7,569,805,121

1994 BILLED NET ASSESSED VALUATION \$7,269,766,240

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1992		
1. June 30 actual cash balance of present year	2,100,996	2,100,996
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	1,222,766	1,222,766
3. Additional appropriations necessary to be made July 1 to December 31 of present year		
4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)	1,222,766	1,222,766
6. Remaining property taxes to be collected present year	973,063	973,063
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	(684,872)	(684,872)
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	288,191	288,191
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	1,166,421	1,166,421
10. Total budget estimate for January 1 to December 31 of incoming year	629,189	629,189
11. Miscellaneous revenue for January 1 to December 31 of incoming year	203,372	203,372
12. Property tax to be raised from January 1 to December 31 of incoming year		
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)		
14. Estimated December 31 cash balance, of incoming year	740,604	740,604
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.0253	0.0253
Proposed tax rate for incoming year	0.0000	0.0000

September 28, 1994

(a)(11) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
TRANSPORTATION GENERAL FUND  
1995 NET ASSESSED VALUATION \$7,569,805,121  
1994 BILLED NET ASSESSED VALUATION \$7,269,766,240

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	14,284,586	14,284,586
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	14,452,515	14,452,515
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	14,452,515	14,452,515
6. Remaining property taxes to be collected present year	_____	_____
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	11,596,833	11,596,833
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	11,596,833	11,596,833
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	11,428,904	11,428,904
10. Total budget estimate for January 1 to December 31 of incoming year	14,925,334	14,925,334
11. Miscellaneous revenue for January 1 to December 31 of incoming year	13,069,558	13,069,558
12. Property tax to be raised from January 1 to December 31 of incoming year	_____	_____
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	_____	_____
14. Estimated December 31 cash balance, of incoming year	9,573,128	9,573,128
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	_____	_____
Proposed tax rate for incoming year	_____	_____

(a)(12) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
ARTERIAL ROADS AND STREETS FUND  
1995 NET ASSESSED VALUATION \$7,569,805,121  
1994 BILLED NET ASSESSED VALUATION \$7,269,766,240

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	4,521,960	4,521,960
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	5,242,364	5,242,364
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____



4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)	5,242,364	5,242,364
6. Remaining property taxes to be collected present year		
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	4,101,132	4,101,132
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	4,101,132	4,101,132
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	3,380,728	3,380,728
10. Total budget estimate for January 1 to December 31 of incoming year	9,634,630	9,634,630
11. Miscellaneous revenue for January 1 to December 31 of incoming year	8,923,347	8,923,347
12. Property tax to be raised from January 1 to December 31 of incoming year		
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)		
14. Estimated December 31 cash balance, of incoming year	2,669,445	2,669,445
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate		
Proposed tax rate for incoming year		

(a)(13) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
PARKING METER FUND

1995 NET ASSESSED VALUATION \$7,099,182,815

1994 BILLED NET ASSESSED VALUATION \$6,819,796,330

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	3,138,148	3,138,148
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	2,484,698	2,484,698
3. Additional appropriations necessary to be made July 1 to December 31 of present year		
4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)	2,484,698	2,484,698
6. Remaining property taxes to be collected present year		
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	1,140,000	1,140,000
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	1,140,000	1,140,000
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	1,793,450	1,793,450

September 28, 1994

10. Total budget estimate for January 1 to December 31 of incoming year	2,500,322	2,500,322
11. Miscellaneous revenue for January 1 to December 31 of incoming year	2,080,000	2,080,000
12. Property tax to be raised from January 1 to December 31 of incoming year	_____	_____
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	_____	_____
14. Estimated December 31 cash balance, of incoming year	1,373,128	1,373,128
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	_____	_____
Proposed tax rate for incoming year	_____	_____

(a)(14) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
HISTORIC PRESERVATION FUND

1995 NET ASSESSED VALUATION \$7,569,805,121

1994 BILLED NET ASSESSED VALUATION \$7,269,766,240

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	73,947	73,947
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	156,676	156,676
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	156,676	156,676
6. Remaining property taxes to be collected present year	_____	_____
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	153,549	153,549
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	153,549	153,549
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	70,820	70,820
10. Total budget estimate for January 1 to December 31 of incoming year	272,635	272,635
11. Miscellaneous revenue for January 1 to December 31 of incoming year	213,135	213,135
12. Property tax to be raised from January 1 to December 31 of incoming year	_____	_____
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	_____	_____



*Journal of the City-County Council*

14. Estimated December 31 cash balance, of incoming year	11,320	11,320
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Net tax rate on each one hundred dollars of taxable property

Current year tax rate

Proposed tax rate for incoming year

(a)(15) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX  
PARK GENERAL FUND

1995 NET ASSESSED VALUATION \$7,569,805,121

1994 BILLED NET ASSESSED VALUATION \$7,269,766,240

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	3,122,144	3,122,144
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	11,643,000	11,643,000
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	11,643,000	11,643,000
6. Remaining property taxes to be collected present year	6,626,825	6,626,825
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	2,767,913	2,767,913
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	9,394,738	9,394,738
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	873,882	873,882
10. Total budget estimate for January 1 to December 31 of incoming year	19,148,221	19,148,221
11. Miscellaneous revenue for January 1 to December 31 of incoming year	6,073,603	6,073,603
12. Property tax to be raised from January 1 to December 31 of incoming year	12,670,124	13,042,774
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	_____	_____
14. Estimated December 31 cash balance, of incoming year	469,388	842,038
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.1723	0.1723
Proposed tax rate for incoming year	0.1723	0.1723

(a)(16) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

PARK GENERAL/GOLF FUND

1995 NET ASSESSED VALUATION \$7,569,805,121

1994 BILLED NET ASSESSED VALUATION \$7,269,766,240

September 28, 1994

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	890,312	890,312
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	1,005,688	1,005,688
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	1,005,688	1,005,688
6. Remaining property taxes to be collected present year	_____	_____
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	528,243	528,243
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	528,243	528,243
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	412,867	412,867
10. Total budget estimate for January 1 to December 31 of incoming year	620,794	620,794
11. Miscellaneous revenue for January 1 to December 31 of incoming year	512,939	512,939
12. Property tax to be raised from January 1 to December 31 of incoming year	_____	_____
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	_____	_____
14. Estimated December 31 cash balance, of incoming year	305,012	305,012
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	_____	_____
Proposed tax rate for incoming year	_____	_____

(a)(17) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
CITY CUMULATIVE CAPITAL DEVELOPMENT FUND  
1995 NET ASSESSED VALUATION \$7,099,182,815  
1994 BILLED NET ASSESSED VALUATION \$6,819,796,330

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	12,642,113	12,642,113
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	18,615,317	18,615,317
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____



*Journal of the City-County Council*

5. Total expenditures for current year (add lines 2-4)	18,615,317	18,615,317
6. Remaining property taxes to be collected present year	5,413,596	5,413,596
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	2,166,143	2,166,143
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	7,579,739	7,579,739
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	1,606,535	1,606,535
10. Total budget estimate for January 1 to December 31 of incoming year	13,562,640	13,562,640
11. Miscellaneous revenue for January 1 to December 31 of incoming year	3,102,690	3,102,690
12. Property tax to be raised from January 1 to December 31 of incoming year	10,344,524	10,648,774
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	<hr/>	<hr/>
14. Estimated December 31 cash balance, of incoming year	1,491,109	1,795,359
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.1500	0.1500
Proposed tax rate for incoming year	0.1500	0.1500

(a)(18) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
CONSOLIDATED COUNTY CUMULATIVE CAPITAL DEVELOPMENT FUND  
1995 NET ASSESSED VALUATION \$7,569,805,121  
1994 BILLED NET ASSESSED VALUATION \$7,269,766,240

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	4,358,402	4,358,402
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	5,563,010	5,563,010
3. Additional appropriations necessary to be made July 1 to December 31 of present year	<hr/>	<hr/>
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	<hr/>	<hr/>
5. Total expenditures for current year (add lines 2-4)	5,563,010	5,563,010
6. Remaining property taxes to be collected present year	<hr/>	<hr/>
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	3,166,335	3,166,335
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	3,166,335	3,166,335
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	1,961,727	1,961,727

September 28, 1994

10. Total budget estimate for January 1 to December 31 of incoming year	4,500,000	4,500,000
11. Miscellaneous revenue for January 1 to December 31 of incoming year	4,605,607	4,605,607
12. Property tax to be raised from January 1 to December 31 of incoming year	_____	_____
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	_____	_____
14. Estimated December 31 cash balance, of incoming year	2,067,334	2,067,334
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	_____	_____
Proposed tax rate for incoming year	_____	_____

(a)(19) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

AIR POLLUTION CONTROL FUND

1995 NET ASSESSED VALUATION \$7,569,805,121

1994 BILLED NET ASSESSED VALUATION \$7,269,766,240

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	846,131	846,131
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	1,407,732	1,407,732
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	1,407,732	1,407,732
6. Remaining property taxes to be collected present year	_____	_____
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	665,271	665,271
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	665,271	665,271
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	103,670	103,670
10. Total budget estimate for January 1 to December 31 of incoming year	1,866,968	1,866,968
11. Miscellaneous revenue for January 1 to December 31 of incoming year	1,897,723	1,897,723
12. Property tax to be raised from January 1 to December 31 of incoming year	_____	_____
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	_____	_____



*Journal of the City-County Council*

14. Estimated December 31 cash balance, of incoming year	134,425	134,425
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Net tax rate on each one hundred dollars of taxable property

Current year tax rate

Proposed tax rate for incoming year

(a)(20) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

IMAGIS SPECIAL REVENUE FUND

1995 NET ASSESSED VALUATION \$7,569,805,121

1994 BILLED NET ASSESSED VALUATION \$7,269,766,240

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	391,155	391,155
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	394,155	394,155
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	394,155	394,155
6. Remaining property taxes to be collected present year	_____	_____
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	3,000	3,000
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	3,000	3,000
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	_____	_____
10. Total budget estimate for January 1 to December 31 of incoming year	420,000	420,000
11. Miscellaneous revenue for January 1 to December 31 of incoming year	422,000	422,000
12. Property tax to be raised from January 1 to December 31 of incoming year	_____	_____
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	_____	_____
14. Estimated December 31 cash balance, of incoming year	2,000	2,000
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	_____	_____
Proposed tax rate for incoming year	_____	_____

(b)(1) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

CITY GENERAL SINKING FUND

1995 NET ASSESSED VALUATION \$7,099,182,815

1994 BILLED NET ASSESSED VALUATION \$6,819,796,330

September 28, 1994

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	564,527	564,527
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	1,397,539	1,397,539
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	1,397,539	1,397,539
6. Remaining property taxes to be collected present year	757,903	757,903
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	81,744	81,744
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	839,647	839,647
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	6,635	6,635
10. Total budget estimate for January 1 to December 31 of incoming year	1,622,461	1,622,461
11. Miscellaneous revenue for January 1 to December 31 of incoming year	186,732	186,732
12. Property tax to be raised from January 1 to December 31 of incoming year	1,496,508	1,540,523
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	_____	_____
14. Estimated December 31 cash balance, of incoming year	67,414	111,429
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.0210	0.0210
Proposed tax rate for incoming year	0.0217	0.0217

(b)(2) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
REDEVELOPMENT DISTRICT SINKING FUND  
1995 NET ASSESSED VALUATION \$7,099,182,815  
1994 BILLED NET ASSESSED VALUATION \$6,819,796,330

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	203,401	203,401
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	399,291	399,291
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____



*Journal of the City-County Council*

5. Total expenditures for current year (add lines 2-4)	399,291	399,291
6. Remaining property taxes to be collected present year	252,635	252,635
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	20,747	20,747
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	273,382	273,382
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	77,492	77,492
10. Total budget estimate for January 1 to December 31 of incoming year	389,975	389,975
11. Miscellaneous revenue for January 1 to December 31 of incoming year	43,653	43,653
12. Property tax to be raised from January 1 to December 31 of incoming year	337,921	347,860
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	<hr/>	<hr/>
14. Estimated December 31 cash balance, of incoming year	69,091	79,030
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.0051	0.0051
Proposed tax rate for incoming year	0.0049	0.0049

(b)(3) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
 SANITARY DISTRICT SINKING FUND  
 1995 NET ASSESSED VALUATION \$6,951,235,935  
 1994 BILLED NET ASSESSED VALUATION \$6,678,207,190

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	6,294,424	6,294,424
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	13,266,282	13,266,282
3. Additional appropriations necessary to be made July 1 to December 31 of present year	<hr/>	<hr/>
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	<hr/>	<hr/>
5. Total expenditures for current year (add lines 2-4)	13,266,282	13,266,282
6. Remaining property taxes to be collected present year	7,704,097	7,704,097
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	(341,435)	(341,435)
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	7,362,662	7,362,662
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	390,804	390,804

September 28, 1994

10. Total budget estimate for January 1 to December 31 of incoming year	16,176,300	16,176,300
11. Miscellaneous revenue for January 1 to December 31 of incoming year	1,954,561	1,954,561
12. Property tax to be raised from January 1 to December 31 of incoming year	13,896,911	14,305,644
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	_____	_____
14. Estimated December 31 cash balance, of incoming year	65,976	474,709
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.2179	0.2179
Proposed tax rate for incoming year	0.2058	0.2058

(b)(4) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
FLOOD CONTROL DISTRICT SINKING FUND

1995 NET ASSESSED VALUATION \$7,569,805,121

1994 BILLED NET ASSESSED VALUATION \$7,269,766,240

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	1,099,193	1,099,193
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	3,135,344	3,135,344
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	3,135,344	3,135,344
6. Remaining property taxes to be collected present year	1,896,126	1,896,126
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	295,157	295,157
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	2,191,283	2,191,283
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	155,132	155,132
10. Total budget estimate for January 1 to December 31 of incoming year	3,486,858	3,486,858
11. Miscellaneous revenue for January 1 to December 31 of incoming year	380,969	380,969
12. Property tax to be raised from January 1 to December 31 of incoming year	3,051,713	3,141,469
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	_____	_____



*Journal of the City-County Council*

14. Estimated December 31 cash balance, of incoming year	100,956	190,712
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.0493	0.0493
Proposed tax rate for incoming year	0.0415	0.0415

(b)(5) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
METROPOLITAN THOROUGHFARE DISTRICT SINKING FUND  
1995 NET ASSESSED VALUATION \$7,569,805,121  
1994 BILLED NET ASSESSED VALUATION \$7,269,766,240

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	2,481,955	2,481,955
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	5,947,430	5,947,430
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	5,947,430	5,947,430
6. Remaining property taxes to be collected present year	3,261,491	3,261,491
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	775,857	775,857
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	4,037,348	4,037,348
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	571,873	571,873
10. Total budget estimate for January 1 to December 31 of incoming year	6,384,285	6,384,285
11. Miscellaneous revenue for January 1 to December 31 of incoming year	659,216	659,216
12. Property tax to be raised from January 1 to December 31 of incoming year	5,206,296	5,359,422
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	_____	_____
14. Estimated December 31 cash balance, of incoming year	53,100	206,226
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.0848	0.0848
Proposed tax rate for incoming year	0.0708	0.0708

(b)(6) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
METROPOLITAN PARK DISTRICT SINKING FUND  
1995 NET ASSESSED VALUATION \$7,569,805,121  
1994 BILLED NET ASSESSED VALUATION \$7,269,766,240

September 28, 1994

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	794,959	794,959
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	1,920,697	1,920,697
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	1,920,697	1,920,697
6. Remaining property taxes to be collected present year	884,602	884,602
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	234,544	234,544
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	1,119,146	1,119,146
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	(6,592)	(6,592)
10. Total budget estimate for January 1 to December 31 of incoming year	2,212,102	2,212,102
11. Miscellaneous revenue for January 1 to December 31 of incoming year	254,276	254,276
12. Property tax to be raised from January 1 to December 31 of incoming year	2,022,219	2,081,696
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	_____	_____
14. Estimated December 31 cash balance, of incoming year	57,801	117,278
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	0.0230	0.0230
Proposed tax rate for incoming year	0.0275	0.0275

Section 3.02. Estimates of Funds to be Raised and Proposed Tax Rates for Marion County Government

The appropriations shall be financed from the revenues allocated in Section 2.02 and with the balances and receipts from property taxes calculated as shown in the following tables:

(a) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
COUNTY GENERAL FUND

1995 NET ASSESSED VALUATION 7,569,805,120

1994 BILLED NET ASSESSED VALUATION 7,269,767,030

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	6,085,198	6,085,198
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	73,804,630	73,278,630



*Journal of the City-County Council*

3. Additional appropriations necessary to be made July 1 to December 31 of present year	508,711	508,711
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	324,636	324,636
5. Total expenditures for current year (add lines 2-4)	74,637,977	74,111,977
6. Remaining property taxes to be collected present year	35,037,946	35,037,946
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	34,748,922	34,748,922
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	69,786,868	69,786,868
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	1,234,089	1,760,089
10. Total budget estimate for January 1 to December 31 of incoming year	121,790,619	115,864,234
11. Miscellaneous revenue for January 1 to December 31 of incoming year	55,840,591	51,367,283
12. Property tax to be raised from January 1 to December 31 of incoming year	67,424,470	71,905,578
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	2,708,531	6,668,716
13a. Jail Expansion Reserve Fund	-0-	2,500,000
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	2,708,531	9,168,716
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.9110	.9110
Proposed tax rate for incoming year	.9169	.9499

(b) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
PROPERTY REASSESSMENT FUND

1995 NET ASSESSED VALUATION 7,569,805,120

1994 BILLED NET ASSESSED VALUATION 7,269,767,030

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	3,615,088	3,615,088
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	1,612,072	1,612,072
3. Additional appropriations necessary to be made July 1 to December 31 of present year	43,515	43,515
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	<hr/>	<hr/>
5. Total expenditures for current year (add lines 2-4)	1,655,587	1,655,587
6. Remaining property taxes to be collected present year	957,678	957,678
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	143,746	143,746

September 28, 1994

8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	1,101,424	1,101,424
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	3,060,925	3,060,925
10. Total budget estimate for January 1 to December 31 of incoming year	2,824,795	2,824,795
11. Miscellaneous revenue for January 1 to December 31 of incoming year	241,366	241,366
12. Property tax to be raised from January 1 to December 31 of incoming year	1,400,000	1,438,263
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	1,877,496	1,915,759
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	1,877,496	1,915,759
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.0249	.0249
Proposed tax rate for incoming year	.0190	.0190

(c) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
SURVEYOR'S CORNER PERPETUATION FUN

1995 NET ASSESSED VALUATION 7,569,805,120

1994 BILLED NET ASSESSED VALUATION 7,269,767,030

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	68,190	68,190
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	27,397	27,397
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	27,397	27,397
6. Remaining property taxes to be collected present year	_____	_____
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	12,990	12,990
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	12,990	12,990
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	53,783	53,783
10. Total budget estimate for January 1 to December 31 of incoming year	22,000	22,000
11. Miscellaneous revenue for January 1 to December 31 of incoming year	29,500	29,500



*Journal of the City-County Council*

12. Property tax to be raised from January 1 to December 31 of incoming year	_____	_____
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	61,283	61,283
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	61,283	61,283
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	_____	_____
Proposed tax rate for incoming year	_____	_____

(d) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
 SUPPLEMENTAL ADULT PROBATION FEES FUND  
 1995 NET ASSESSED VALUATION 7,569,805,120  
 1994 BILLED NET ASSESSED VALUATION 7,269,767,030

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	196,012	196,012
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	836,646	836,646
3. Additional appropriations necessary to be made July 1 to December 31 of present year	16,000	16,000
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	852,646	852,646
6. Remaining property taxes to be collected present year	_____	_____
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	820,505	820,505
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	820,505	820,505
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	163,871	163,871
10. Total budget estimate for January 1 to December 31 of incoming year	1,440,458	1,440,458
11. Miscellaneous revenue for January 1 to December 31 of incoming year	1,460,000	1,460,000
12. Property tax to be raised from January 1 to December 31 of incoming year	_____	_____
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	183,413	183,413
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	183,413	183,413

September 28, 1994

Net tax rate on each one hundred dollars of taxable property

Current year tax rate

Proposed tax rate for incoming year

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(e) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

JUVENILE PROBATION FEES FUND

1995 NET ASSESSED VALUATION 7,569,805,120

1994 BILLED NET ASSESSED VALUATION 7,269,767,030

PUBLISHED  
BUDGET

CITY-COUNTY  
COUNCIL

FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994

1. June 30 actual cash balance of present year	112,826	112,826
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	60,754	60,754
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	60,754	60,754
6. Remaining property taxes to be collected present year	_____	_____
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	32,313	32,313
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	32,313	32,313
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	84,385	84,385
10. Total budget estimate for January 1 to December 31 of incoming year	100,529	100,529
11. Miscellaneous revenue for January 1 to December 31 of incoming year	60,000	60,000
12. Property tax to be raised from January 1 to December 31 of incoming year	_____	_____
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	43,856	43,856
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	43,856	43,856

Net tax rate on each one hundred dollars of taxable property

Current year tax rate

Proposed tax rate for incoming year

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\_\_\_\_\_

(f) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

GUARDIAN AD LITEM FUND

1995 NET ASSESSED VALUATION 7,569,805,120

1994 BILLED NET ASSESSED VALUATION 7,269,767,030

PUBLISHED  
BUDGET

CITY-COUNTY  
COUNCIL

FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994

1. June 30 actual cash balance of present year	584	584
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2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	18,336	18,336
3. Additional appropriations necessary to be made July 1 to December 31 of present year		
4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)	18,336	18,336
6. Remaining property taxes to be collected present year		
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	18,336	18,336
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	18,336	18,336
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	584	584
10. Total budget estimate for January 1 to December 31 of incoming year	60,300	60,300
11. Miscellaneous revenue for January 1 to December 31 of incoming year	60,300	60,300
12. Property tax to be raised from January 1 to December 31 of incoming year		
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	584	584
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	584	584
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate		
Proposed tax rate for incoming year		

(g) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
COUNTY USER FEE (DIVERSION) FUND  
1995 NET ASSESSED VALUATION 7,569,805,120  
1994 BILLED NET ASSESSED VALUATION 7,269,767,030

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	705,042	705,042
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	1,022,118	1,022,118
3. Additional appropriations necessary to be made July 1 to December 31 of present year		
4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)	1,022,118	1,022,118
6. Remaining property taxes to be collected present year		

September 28, 1994

7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	436,743	436,743
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	436,743	436,743
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	119,667	119,667
10. Total budget estimate for January 1 to December 31 of incoming year	949,088	949,088
11. Miscellaneous revenue for January 1 to December 31 of incoming year	840,000	840,000
12. Property tax to be raised from January 1 to December 31 of incoming year	_____	_____
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	10,579	10,579
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	10,579	10,579
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	_____	_____
Proposed tax rate for incoming year	_____	_____

(h) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
ALCOHOL AND DRUG SERVICES FUND  
1995 NET ASSESSED VALUATION 7,569,805,120  
1994 BILLED NET ASSESSED VALUATION 7,269,767,030

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	26,319	26,319
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	110,259	110,259
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	110,259	110,259
6. Remaining property taxes to be collected present year	_____	_____
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	127,010	127,010
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	127,010	127,010
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	43,070	43,070
10. Total budget estimate for January 1 to December 31 of incoming year	231,724	231,724
11. Miscellaneous revenue for January 1 to December 31 of incoming year	222,000	222,000



*Journal of the City-County Council*

12. Property tax to be raised from January 1 to December 31 of incoming year	_____	_____
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	33,346	33,346
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	33,346	33,346
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	_____	_____
Proposed tax rate for incoming year	_____	_____

(i) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
COUNTY EXTRADITION FUND

1995 NET ASSESSED VALUATION 7,569,805,120

1994 BILLED NET ASSESSED VALUATION 7,269,767,030

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	114,532	114,532
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	57,957	57,957
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	57,957	57,957
6. Remaining property taxes to be collected present year	_____	_____
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	52,775	52,775
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	52,775	52,775
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	109,350	109,350
10. Total budget estimate for January 1 to December 31 of incoming year	123,882	123,882
11. Miscellaneous revenue for January 1 to December 31 of incoming year	80,000	80,000
12. Property tax to be raised from January 1 to December 31 of incoming year	_____	_____
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	65,468	65,468
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	65,468	65,468

September 28, 1994

Net tax rate on each one hundred dollars of taxable property

Current year tax rate

Proposed tax rate for incoming year

\_\_\_\_\_

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(j) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

LAW ENFORCEMENT FUND

1995 NET ASSESSED VALUATION 7,569,805,120

1994 BILLED NET ASSESSED VALUATION 7,269,767,030

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	2,922,273	2,922,273
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	1,632,713	1,632,713
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	1,632,713	1,632,713
6. Remaining property taxes to be collected present year	_____	_____
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	242,400	242,400
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	242,400	242,400
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	1,531,960	1,531,960
10. Total budget estimate for January 1 to December 31 of incoming year	2,090,036	2,090,036
11. Miscellaneous revenue for January 1 to December 31 of incoming year	570,000	570,000
12. Property tax to be raised from January 1 to December 31 of incoming year	_____	_____
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	11,924	11,924
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	11,924	11,924

Net tax rate on each one hundred dollars of taxable property

Current year tax rate

Proposed tax rate for incoming year

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\_\_\_\_\_

(k) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES

LAW ENFORCEMENT EQUITABLE SHARE FUND

1995 NET ASSESSED VALUATION 7,569,805,120

1994 BILLED NET ASSESSED VALUATION 7,269,767,030



*Journal of the City-County Council*

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	497,282	497,282
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	_____	_____
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	_____	_____
6. Remaining property taxes to be collected present year	_____	_____
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	278,000	278,000
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	278,000	278,000
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	775,282	775,282
10. Total budget estimate for January 1 to December 31 of incoming year	603,000	603,000
11. Miscellaneous revenue for January 1 to December 31 of incoming year	500,000	500,000
12. Property tax to be raised from January 1 to December 31 of incoming year	_____	_____
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	672,282	672,282
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	672,282	672,282
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	_____	_____
Proposed tax rate for incoming year	_____	_____

(l) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
STATE AND FEDERAL GRANTS FUND  
(This budget makes no appropriations from this fund.)

(m) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
COUNTY CORRECTIONS FUND  
(This budget makes no appropriations from this fund.)

(n) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
COMMUNITY CORRECTIONS HOME DETENTION FUND  
(This budget makes no appropriations from this fund.)

September 28, 1994

(o) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
COUNTY GRANTS FUND

(This budget makes no appropriations from this fund.)

(p) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
MARION COUNTY CUMULATIVE CAPITAL DEVELOPMENT FUND

1995 NET ASSESSED VALUATION 7,569,805,120

1994 BILLED NET ASSESSED VALUATION 7,269,767,030

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	(229,622)	(229,622)
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	1,580,739	1,580,739
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	1,580,739	1,580,739
6. Remaining property taxes to be collected present year	3,846,097	3,846,097
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	(1,724,762)	(1,724,762)
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	2,121,335	2,121,335
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	310,974	310,974
10. Total budget estimate for January 1 to December 31 of incoming year	3,819,000	3,819,000
11. Miscellaneous revenue for January 1 to December 31 of incoming year	(3,663,029)	(3,663,029)
12. Property tax to be raised from January 1 to December 31 of incoming year	7,353,525	7,569,805
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	182,470	398,750
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	182,470	398,750
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	.1000	.1000
Proposed tax rate for incoming year	.1000	.1000

(q) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
SUPPLEMENTAL PUBLIC DEFENDER FUND

1995 NET ASSESSED VALUATION 7,569,805,120

1994 BILLED NET ASSESSED VALUATION 7,269,767,030

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	(152,095)	(152,095)



2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	189,871	189,871
3. Additional appropriations necessary to be made July 1 to December 31 of present year		
4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)	189,871	189,871
6. Remaining property taxes to be collected present year		
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	341,966	341,966
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	341,966	341,966
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)		
10. Total budget estimate for January 1 to December 31 of incoming year	358,840	358,840
11. Miscellaneous revenue for January 1 to December 31 of incoming year	358,840	358,840
12. Property tax to be raised from January 1 to December 31 of incoming year		
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)		
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)		
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate		
Proposed tax rate for incoming year		

(r) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
COUNTY RECORDER'S PERPETUATION FUND  
1995 NET ASSESSED VALUATION 7,569,805,120  
1994 BILLED NET ASSESSED VALUATION 7,269,767,030

	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	220,830	220,830
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	244,026	244,026
3. Additional appropriations necessary to be made July 1 to December 31 of present year		
4. Outstanding temporary loans to be paid and not included in lines 2 or 3		
5. Total expenditures for current year (add lines 2-4)	244,026	244,026
6. Remaining property taxes to be collected present year		

September 28, 1994

7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	69,214	69,214
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	69,214	69,214
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	46,018	46,018
10. Total budget estimate for January 1 to December 31 of incoming year	167,948	197,948
11. Miscellaneous revenue for January 1 to December 31 of incoming year	155,000	155,000
12. Property tax to be raised from January 1 to December 31 of incoming year	_____	_____
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)	33,070	3,070
14. Estimated December 31 cash balance, of incoming year (add lines 9, 11, 12, 13 and subtract line 10)	33,070	3,070
Net tax rate on each one hundred dollars of taxable property		
Current year tax rate	_____	_____
Proposed tax rate for incoming year	_____	_____

(s) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES  
 INFORMATION SERVICES INTERNAL SERVICES FUND  
 1995 NET ASSESSED VALUATION 7,569,805,120  
 1994 BILLED NET ASSESSED VALUATION 7,269,767,030

	<u>PUBLISHED BUDGET</u>	<u>CITY-COUNTY COUNCIL</u>
FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 1994		
1. June 30 actual cash balance of present year	_____	_____
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended	_____	_____
3. Additional appropriations necessary to be made July 1 to December 31 of present year	_____	_____
4. Outstanding temporary loans to be paid and not included in lines 2 or 3	_____	_____
5. Total expenditures for current year (add lines 2-4)	_____	_____
6. Remaining property taxes to be collected present year	_____	_____
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year	_____	_____
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)	_____	_____
9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)	_____	_____
10. Total budget estimate for January 1 to December 31 of incoming year	10,099,735	10,099,735
11. Miscellaneous revenue for January 1 to December 31 of incoming year	10,099,735	10,099,735



12. Property tax to be raised from January 1  
to December 31 of incoming year

\_\_\_\_\_

13. Operating balance (not in excess of  
expenses January 1 to June 30,  
miscellaneous revenue for same period)

\_\_\_\_\_

14. Estimated December 31 cash balance, of  
incoming year (add lines 9, 11, 12, 13  
and subtract line 10)

\_\_\_\_\_

Net tax rate on each one hundred dollars of taxable property

Current year tax rate

\_\_\_\_\_

Proposed tax rate for incoming year

\_\_\_\_\_

#### ARTICLE FOUR MISCELLANEOUS APPROPRIATIONS AND ALLOCATIONS

##### Section 4.01. State, Local and Federal Grants.

(a) Grant Applications Authorized. The Mayor of the Consolidated City of Indianapolis is hereby authorized to make such applications as may be required by federal or state laws or regulations in order to apply for, and receive, such state or federal grants or payments as are anticipated, allocated and approved for expenditure by inclusion in this ordinance.

(b) Community Development Grant Funds. Until this Council has approved the amounts, locations and programmatic operation of each project to be funded from Community Development Grant Funds, the amounts appropriated herein for such purposes shall not be encumbered or spent.

(c) Public Purpose Local Grants. The sums appropriated for public purposes grants as part of this ordinance shall not be spent until this Council by resolution approves the amount and identity of the recipient of each grant.

##### Section 4.02. Appropriations for Certain Allocated Expenses.

As part of the appropriations authorized for the various offices by Section 1.02 and included under "3. Other Services and Charges" are amounts allocated for payment of City-County Building rent, jail rent, telephone services and information services agency charges. The building rent, information services agency and telephone charges cannot be transferred without City-County Council approval. In total there is appropriated:

(1) City-County Building Rent	\$3,324,735
(2) Jail Rent	\$2,558,250
(3) Telephone Services	\$2,259,264
(4) Information Services Agency Charge	\$5,086,211

The Auditor is authorized to pay such charges to the extent of the total appropriations and allocate the total to the respective offices on the basis of actual use and charges without further action by this Council, unless the aggregate totals exceed the total appropriations for such purpose or the allocation to any specific office would exceed the unencumbered balance for Character 3 expenditures of any such office.

##### Section 4.03. Allocation of County Option Income Tax Revenues.

Pursuant to IC 6-3.5-6-19 (d), the City-County Council may determine the distribution to be made of the revenue received by the City of Indianapolis and County of Marion as a single taxing unit from the County Option Income Tax. The City-County Council hereby determines that from the certified distribution of Eighty Nine Million Sixty-One Thousand Six Hundred Dollars (\$89,061,600) after the County Auditor deposits Two Million Dollars (\$2,000,000) in the Metropolitan Emergency Communications Fund, retains the homestead credit distribution of Eleven Million Four Hundred Fifty-Five Thousand Two Hundred One Dollars (\$11,455,201) and distributes the shares of other units entitled to distributions, the balance for the Consolidated City and County of Sixty-Five Million Three Hundred Twenty-Eight Thousand Four Hundred Thirty-Three

Dollars (\$65,328,433) are hereby allocated and shall be distributed by the County Auditor and City Controller as follows:

- (1) To the County General Fund, the sum of \$21,776,144;
- (2) To the Consolidated County Fund, the sum of \$104,000;
- (3) To the Police Special Service District Fund, the sum of \$23,900,000;
- (4) To the Fire Special Service District Fund, the sum of \$7,300,000;
- (5) To the DMD General Fund, the sum of \$200,000;
- (6) To the Housing Authority Fund, the sum of \$150,000;
- (7) To the Youth and Family Services Fund, the sum of \$150,000;
- (8) To the Police Pension Fund, the sum of \$4,115,000;
- (9) To the Fire Pension Fund, the sum of \$3,635,000; and
- (10) To the United Airline Line Debt Service Fund, the sum of \$2,000,000.

Section 4.04. Requirement and Allocation of Payments in Lieu of Taxes Revenues.

Pursuant to IC 36-3-2-10, the City-County Council may require the payments in lieu of taxes (PILOT) from certain public entities. Included within the list of public entities is a wastewater treatment facility. The City-County council requires the wastewater treatment facility to pay PILOTS on January 31, 1995 in the amount of Four Million Four Hundred Thousand Dollars (\$4,400,000), which are hereby allocated and shall be distributed by the City controller as follows:

- (1) To the Police Service District Fund, the sum of \$1,850,000;
- (2) To the Fire Service District Fund, the sum of \$2,050,000;
- (3) To the Police Pension Fund, the sum of \$250,000; and
- (4) To the Fire Pension Fund, the sum of \$250,000.

Section 4.05. Assistance to Division of Housing and Parks and Recreation Department.

Pursuant to IC 36-7-19, the City-County Council authorizes aid to the Division of Housing in the Department of Metropolitan Development by exempting it from sewer user charges and fees and from solid waste collection charges and fees and to the Department of Parks and Recreation by exempting it from sewer user charges and fees.

Section 4.06. Authorization of Dues and Memberships.

In accordance with Sec. 2-412 of the Code of Indianapolis and Marion County, the respective officials are authorized to pay dues in the following associations to the extent of available appropriations therefore:

ADMINISTRATION

American Gas Association  
American Institute of Certified Public Accountants  
American Management Association  
American Production and Inventory Control Society, Inc.  
American Society for Training and Development  
American Society of Personnel Administration  
American Society of Safety Engineers  
American Society for Quality Control  
Associated Public-Safety Communications Officers, Inc.  
Association for Information Image Management  
Association for Quality & Participation  
Central Indiana Wang Users Association  
Central Indiana American Society for Training and Development  
Equipment Maintenance Council  
Government Finance Officers Association  
Hoosier Minority Chamber of Commerce  
Indiana Municipal Lawyers Association  
Indiana Government Finance Officers Association  
Indiana Affirmative Action Association  
Indiana Notary Association  
Indiana Historical Society  
Indiana CPA Society  
Indiana Telecommunications Users Association



Indiana Association of Cities & Towns  
Indiana Regional Minority Supplier Development Council  
Institute of Internal Auditors  
International Institute of Municipal Clerks  
International Personnel Management Association  
International Association of Official Human Rights Agencies  
Local & State Consortium of Civil Rights  
Motorola Trunked Users Group  
National Institute Municipal Law Officers  
National Safety Council  
National Academy of Cable Programming  
National Association of Counties  
National League of Cities  
National Federation of Local Cable Programmers  
National Emergency Number Association  
National Society for Quality Control  
National Institute of Government Purchasing  
National Association of Telecommunication Officers and Advisors  
National Association of Fleet Administration  
Partners for Livable Places  
Public Technology, Inc.  
Public Risk and Insurance Management Association  
Society of American Archivists  
U.S. Conference of Mayors Employment and Training Council  
U.S. Conference of Mayors  
Urban League

#### METROPOLITAN DEVELOPMENT

American Planning Association  
Apartment Association of Indiana  
Association for Preservation Technology  
Association of Major City Building Officials  
Building Officials for Code Administration  
Chamber of Commerce  
Council of Large Public Housing Authorities  
Indiana Housing Coalition  
Indiana Neighborhood Coalition  
Historic Landmarks  
Housing Authority Accounts Group  
Homeless Network of Indianapolis  
Indiana Association for Community Economic Development  
Indiana Association of Electrical Inspectors  
Indiana Chapter, National Association of Housing & Redevelopment Officials  
Indiana Historic Society  
Indiana Planning Association  
Indianapolis Chamber of Commerce  
Institute of Real Estate Management  
International City Management Association  
International Conference of Building Officials  
International Right of Way Association  
Metropolitan Indianapolis Board of Realtors  
National Association of Housing & Redevelopment Officials  
National Association of Housing & Urban Development Officials  
National Center for Preservation Law  
National Community Development Association  
National Conference of States on Building Codes / Standards  
National Fire Protection Association  
National Trust Historic Preservation  
Public Housing Directors' Association  
State Community Development Association  
Urban and Regional Information System Association  
Urban Land Institute

DEPARTMENT OF TRANSPORTATION

AM/FM International  
American Association of Construction Engineers  
American Concrete Institute  
American Planning Association  
American Society for Training and Development, Inc. (Central Indiana)  
American Society of Civil Engineers  
Appraisal Institute  
Association for Commuter Transportation  
Central Indiana / American Society for Training and Development  
Construction Specifications Institute  
Indiana Association of County Engineers  
Indiana County Highway Supervisors Association  
Institute of Transportation Engineers  
Institutional and municipal Parking Congress  
International Association of Synercom Users  
International Right of Way Association  
Metropolitan Indianapolis Board of Realtors  
Synercom Midwest User Group  
Transportation Research Board  
Urban Regional Information System Association

PARKS AND RECREATION

Amateur Boxing Federation  
Amateur Hockey Association  
Amateur Softball Association  
American Academy for Park and Recreation Administration  
American Association of Botanical Gardens and Arboretums  
American Forestry Association  
American Horticultural Society  
American Society of Arborists  
Association of Performing Arts Presenters  
Bicycle Racing Indiana/Kentucky  
Central Indiana Association of Volunteer Administrators  
Central Indiana Bicycle Association  
Central Indiana Netware Users Group  
Chamber of Commerce of Indianapolis  
Garden Writers Association of America  
Ice Skating Institute of America  
Indiana Arborist Association  
Indiana Association of Event Professionals  
Indiana Association of Nurserymen  
Indiana Parks and Recreation Association  
Indiana Swimming Association  
Indiana Urban Forestry Council  
Institute of Internal Auditors  
Integrated Pest Management  
National Association of Interpreters  
National Golf Foundation  
National Bicycle League  
National Institute for Urban Wildlife  
National Institute of Parks & Grounds  
National Land Trust Alliance  
National Recreation and Park Association  
National Wildflower Research Center  
National Youth Sports Coaches Association  
Ohio Florist Association  
Pro-AM National Basketball Association  
Public Relations Society of America  
Professional Plant Growers Association  
River Network  
Rails-to-Trails Conservancy  
United States Cycling Federation



United States Canoe/Kayak Team  
United States Rowing Association  
United States Soccer Federation  
United States Golf Association  
United States National Senior Sports Organization  
United States Tennis Association  
United States Volleyball Association  
Urban Park and Recreation Alliance  
USA Track and Field

**PUBLIC SAFETY**

Airborne Law Enforcement Association  
American Polygraph Association  
Association for Fitness in Business  
Association Public Safety Communications Officers  
Central Weights and Measures Association  
Divers Alert Network  
Domestic Violence Network  
Fire Department Safety Officer's Association  
Fire Industry Equipment Research Organization  
Idea Today for Fitness Trainer  
Indiana Association of Chiefs of Police, Inc.  
Indiana Association of Inspectors of Weights and Measures  
Indiana Association of Fire Service  
Indiana Coalition Against Sexual Assault  
Indiana Fire Chiefs' Association  
Indiana Fire Instruction Association  
Indiana Fire Safety Association  
Indiana Polygraph Association  
Indiana Victim assistance Network  
Instrument Society of America  
International Association of Chiefs of Police  
International Association of Dive Rescue Specialist, Inc.  
International Association of Fire Chiefs  
International Society of Fire Service Instructors  
Law enforcement Intelligence Unit  
Major Cities Chiefs  
Marion County Fire Prevention & Arson Association  
Marion County Fire Chiefs' Association  
National Association of Bunco Investigations  
National Association of Fleet Administrators  
National Association of Search and Rescue  
National Conference on Weights and Measures  
National Executive Institute Association  
National Fire Protection Association  
National Organization for Victim Assistance  
National Safety Council  
Police Executive Research Forum  
Professionals Against Confidence Crime  
Society of Fire Protection Engineers  
Society of National Fire Academy Instructors

**PUBLIC WORKS**

AM/FM International  
American Chemical Society  
American Concrete Institute  
American Geophysical Union  
American Management Association  
American Public Works Association  
American Society of Civil Engineers  
American Water Works Association  
Association of Metropolitan Sewerage Agencies

Association of State Wetlands  
Coalition of Resource Recovery and the Environment  
Combined Sewer Overflow Partnership  
Cryogenic Society of America  
Indiana Society of Hazardous Materials Managers  
Indiana Water Resources Association  
Institute of Hazardous Materials Management  
Instrument Society of America  
Instrumentation Testing Association  
International Association of Synercom Users  
International Erosion Control Association  
International Ozone Institute  
International Right of Way Association  
Metropolitan Indianapolis Board of Realtors  
Municipal Waste Management Association  
National Association of Flood and Stormwater management Agencies  
National Association of Sewer Service Companies  
National Association of Fleet Administrators  
National Environmental Training Association  
National Fire Protection Association  
National Safety Council  
National Society of Professional Engineers  
National Water Well Association  
Refrigeration Service Engineers Society  
Urban and Regional Information Systems Association  
Water & Wastewater Instrumentation Testing Association  
Water Environment Federation (Financial Management)  
Water Environment Federation

COUNTY ADMINISTRATIVE OFFICES

Indiana Association of County Commissioners  
Association of Indiana Counties, Inc.

COUNTY AUDITOR

American Institute of Certified Public Accountants  
American Correctional Association  
American Management Association  
Central Indiana Personnel Association  
Government Finance Officers' Association  
Indiana Auditors' Association  
Indiana Certified Public Accountants Society  
Indiana Correctional Association  
Indiana Government Finance Officers' Association  
Indiana Sheriff's Association  
National Association of Counties  
State and Local Government Benefits Association  
Society for Human Resource Management

COUNTY TREASURER

Association of Indiana Counties  
Central Indiana Cash Management Association  
Government Finance Officers Association  
Indiana Association of County Treasurer  
Indiana Government Finance Officers Association  
Municipal Treasurers' Association  
National Associations of County Treasurers and Finance Officers

CLERK OF CIRCUIT COURT

Association of Indiana Clerks of Circuit Court  
Indiana Association of Clerk of Courts  
International Association of Clerks, Records,  
Elected Officials, Treasurers



COUNTY RECORDER

Indiana Recorders' Association  
National Association of County Clerks and Recorders

COUNTY EXTENSION SERVICE

The American Dietetics Association  
The Community Development Society  
Indiana Extension Agents' Association  
National Association of County Agricultural Agents  
National Association of Extension Home Economists  
National Association of Extension 4-H Agents

COUNTY SURVEYOR

American Congress on Surveying and Mapping  
AM/FM International  
Central Indiana Chapter of ISPLS  
County Surveyors' Association  
International Right-of-Way Association  
National Association of County Surveyors  
Professional Engineers and Land Surveyors  
IN-KY-OH Chapter, Automated Mapping and Facility Management  
Indiana Society of Professional Land Surveyors  
Urisa

COUNTY SHERIFF

American Correctional Association  
American Polygraph Association  
Associated Public Safety Communications Officers, Inc.  
Community Service Council  
Government Finance Officers Association  
Indiana Association of Chiefs of Police  
Indiana Correctional Association  
Indiana Polygraph Association  
Indiana Sheriffs' Association  
Indiana State Board of Health  
Indianapolis Chamber of Commerce  
International AFIS Users Association (NEC)  
International Arson Association  
International Association of Bomb Investigators  
International Association of Identification Officer  
International Chiefs of Police  
International Narcotics Enforcement Association  
International Television Association  
Internet, Inc.  
Law Enforcement Intelligence Unit  
Magoclen Intelligence Association  
Midwest Gang Investigator's Association  
National Bunko Investigator's Association  
National Rifle Association (The)  
National Sheriffs' Association  
Personnel Association of Indianapolis  
Professional Photographers' Association

COUNTY CORONER

American Academy of Forensic Sciences, Inc.  
Indiana Coroners' Association  
International Association of Coroners and Medical Examiners  
International Reference Organization in Forensic Medicine (INFORM)  
National Association of Chiefs of Police  
National Association of Indiana Counties

COUNTY PROSECUTOR

Association of Government Attorneys in Capital Litigation  
Association of Indiana Prosecuting Attorneys  
Community Service Council  
Domestic Violence Network  
Eastern Regional Interstate Child Support Association (ERICSA)  
Indianapolis Bar Association  
International Association of Chiefs of Police  
Marion County Council on Adolescent Pregnancy  
National Association of Chiefs of Police  
National Child Support Enforcement Association  
National Council on Crime & Delinquency  
National District Attorneys' Association

MARION COUNTY COMMUNITY CORRECTIONS AGENCY

Indiana Association of Community Corrections Act Counties (IACCAC)

ASSESSORS

AM/FM International  
American Society of Surveyors and Mappers  
Association of Indiana Counties  
Central Indiana Autocad Users Alliance  
Generation 5 Users Group (National)  
GEO/SQL Users Group - Midwest Region  
IN-KY-OH Chapter, Automated Mapping and Facility Management  
Indiana Assessors' Association  
Indiana County Assessors' Association  
International Association of Assessing Officials  
National Association of Counties  
National Association of Independent Fee Appraisers  
North Central Regional Association of Assessing Officers  
Urban and Regional Information Systems Association

PUBLIC WELFARE

American Public Welfare Association  
Child Abuse and Neglect Council of Marion County  
Family Support Center  
Indiana State Association of County Welfare Directors  
National Center for the Prevention of Child Abuse - Indiana Chapter  
National Welfare Fraud Association

INFORMATION SERVICES AGENCY

Amdahl Users Group  
American Management Association  
American Society for Training and Development  
Association for Information and Image Management  
CICS User Group  
Central Indiana Educators in Data Processing  
Computer Operations Management Association  
Data Processing Management Association  
Electronic Mail Association  
Ernest & Young Management Forum on Information Technology  
FAMIS User Group  
Gartner Group  
Government Finance Officers Association  
Government Management Information Systems  
Government Technology Association  
Group 1 User's Group  
Indiana Assessor's Association, Inc.  
Indiana Help Desk  
Indiana Telecommunications User Association  
Indiana/Kentucky Datacom User Group  
Indianapolis Computer Society



Indianapolis Personal Computer User's Group  
Indianapolis Training Consortium  
Information Center Users' Association  
Infopac Users Group  
Midwest Contingency Planners  
National Systems Programmers' Association in Data Processing  
Public Technology, Inc.  
Seven Midwest Use Group  
Society for Information Management  
TOSS User Group

#### JUDICIARY

American Bar Association  
American Court Alcohol and Drug Coalition  
American Judges Association  
American Judicature Society  
American Management Association  
American Trial Lawyers' Association  
Association of Family and Conciliation Courts  
Court Alcohol & Drug Coalition  
Indiana Correctional Association  
Indiana Council of Juvenile and Family Court Judges  
Indiana Court Coalition of Alcohol and Drug Services  
Indiana Judges' Association  
Indiana State Bar Association  
Indiana Supreme Court Disciplinary Commission  
Indiana Trial Lawyers' Association  
Indianapolis Bar Association  
Indianapolis Substance Abuse Forum  
Institute for Court Management  
International Association of Family Law  
Marion County Bar Association  
National Association for Court Management  
National Association of Pretrial Services Agencies  
National Association for Victims' Assistance  
National Association of Women Judges  
National Bar Association  
National Council of Juvenile and Family Court Judges  
National CASA Association  
National College of Probate Judges  
National Criminal Justice Association  
National Institute for Trial Advocacy  
National Legal Aid and Defenders' Association  
National Reciprocal and Family Support Enforcement Association

#### PROBATION

American Correctional Association  
American Probational and Parole Association  
Indiana Correctional Association  
Indiana Counseling Association on Alcohol and Drug Abuse  
National Association of Community Service Sentencing  
National Council on Crime and Delinquency  
Probation Officers Professional Association of Indiana, Inc.

#### LAW LIBRARY

American Association of Law Libraries  
Central Indiana Area Library Services Authority  
Ohio Regional Association of Law Libraries

#### DOMESTIC RELATIONS

Academy of Family Mediators  
Association of Family & Conciliation Courts

Domestic Violence Network  
Indiana Association of Mediators  
Mediation Association of Indiana  
National Association of Social Workers  
National Council on Family Relations

#### JUVENILE CENTER

American Correctional Association  
American Correctional Training  
American Probation and Parole Association  
Child Abuse and Neglect Council  
Correctional Accreditation Managers Association  
Indiana Council of Juvenile and Family Court Judges  
Institute for Court Management  
Marion County Juvenile Delinquency Prevention Council  
National Association of Social Work  
National Council on Crime and Delinquency  
National Criminal Justice Association  
National Juvenile Detention Association  
P.A.C.E.

#### HEALTHCARE CENTER

American College of Healthcare Administrators  
American Health Information Management Association  
American Medical Records Association  
American Society of Health Facility Administrators  
Health Professions Service Bureau  
Healthcare Financial Management Association  
Indiana Association of Homes for the Aging  
Indiana Association of Quality Assurance  
Indiana State Nurses' Association  
National Association for the Exchange of Industrial Resources  
National Association of Social Workers

#### FORENSIC SERVICES AGENCY

American Academy of Forensic Sciences (AAFS)  
American Association of Blood Banks (AABB)  
American Society of Crime Laboratory Directors (ASCLD)  
Association of Firearms & Toolmark Examiners (AFTE)  
Biological Photographer's Association (BPA)  
British Forensic Science Society  
California Association of Criminalists (CAC)  
Canadian Society of Forensic Sciences (CSFS)  
Electrophoresis Society  
Forensic Genetics Association  
International Wound Ballistics Association (IWBA)  
International Association of Identification (IAI)  
International Cartridge Collectors' Association (ICCA)  
Mid-Atlantic Association of Forensic Science (MAAFS)  
Midwestern Association of Forensic Sciences (MAFS)  
National Automatic Pistol Collectors' Association  
National Rifle Association (NRA)  
Northeastern Association of Forensic Scientists (NEAFS)  
Northwestern Association of Forensic Scientists (NWAFS)  
Southern Association of Forensic Scientists (SAFS)  
Southwestern Association of Forensic Scientists (SWAFS)



ARTICLE FIVE  
COMPENSATION OF OFFICERS AND EMPLOYEES

Section 5.01. Elected Officers.

Pursuant to IC 36-3-6-2, the annual compensation of elected officers of the consolidated city and county are fixed for the calendar year 1995 and thereafter, as follows:

(a) Mayor. Effective January 1, 1995, the compensation for the mayor of Indianapolis as an annual salary for the calendar year 1995 and thereafter until modified, shall be Eighty-Three Thousand Two Hundred Eleven Dollars (\$83,211) and a deferred compensation plan funded by contributions equalling Seven Thousand Five Hundred Dollars (\$7,500) which amounts for each year shall be in addition to the use of an automobile, an account for expenses incurred in the performance of the duties of office, and participation in other employee benefits on the same basis as other city employees.

(b) Elected County Officers. Effective January 1, 1995 the annual compensation of the elected county officers for the calendar year 1995 and thereafter until modified shall be as follows:

(1) County Assessor	51,484
(2) County Auditor	55,867
(3) County Clerk	55,867
(4) County Coroner	30,741
(5) County Prosecutor	13,209
(6) County Sheriff	28,250
(7) County Recorder	48,454
(8) County Surveyor	46,124
(9) County Treasurer	55,867
(10) Center Township Assessor	49,324
(11) Decatur Township Assessor	38,390
(12) Franklin Township Assessor	38,390
(13) Lawrence Township Assessor	43,068
(14) Perry Township Assessor	43,068
(15) Pike Township Assessor	43,068
(16) Warren Township Assessor	47,854
(17) Washington Township Assessor	47,854
(18) Wayne Township Assessor	47,854

The county prosecutor receives Sixty One Thousand Seven Hundred Forty Dollars (\$61,740) from the state (IC 33-14-7-5). The county contribution for Circuit, Superior, and Municipal Court Judges shall be Twenty Three Thousand Six Hundred Eighty Four Dollars (\$23,684), consisting of Ten Thousand Four Hundred Seventy Five Dollars (\$10,475) required by IC 33-13-12-7 and an additional Thirteen Thousand Two Hundred Nine Dollars (\$13,209).

The salary fixed for the county sheriff shall be increased to \$88,250 per annum if the sheriff has entered into a salary contract pursuant to either applicable ordinance or IC 36-2-13-2.5. The county assessor, county auditor and county treasurer, as ex-officio county commissioners, in addition to other compensation may be provided the use of an automobile.

All elected county officers shall be entitled to participate in other employee benefits on the same basis as other county employees.

(c) City-County Council. Effective January 1, 1995, the annual compensation of members of the city-county council for the calendar year 1995 and thereafter until modified shall be as follows:

- (1) Each member of the city-county council shall receive an annual salary in an amount equal to twelve (12) percent of the annual salary of the mayor as fixed in subsection (a).
- (2) Each member of the city-county council shall receive, in addition to the annual salary, a per diem allowance of One Hundred Twelve Dollars (\$112) for each regular council meeting attended, not to exceed twenty-one (21) in any calendar year, attendance to be determined solely on the basis of the roll call taken at the opening of each regular meeting.

- (3) Each member of the city-county council, in addition to the annual salary and per diem for council meetings, shall receive a per diem of Sixty-two Dollars (\$62) for attendance at each meeting of a committee of which he is a member, not to exceed forty (40) meetings in any calendar year. The council may authorize the per diem fee to be paid to a member representing the council on a specific council assignment.
- (4) In addition to the annual salary and per diem fees, the officers of the council shall receive the following additional compensation:
  - a. The president shall be paid an additional annual compensation of One Thousand Nine Hundred Eighty-two Dollars (\$1,982);
  - b. The vice president, majority leader and minority leader shall be paid an additional annual compensation of One Thousand Three Hundred Twenty Dollars (\$1,320); and
  - c. The chairman of each standing committee for the president of each special service district council shall be paid an additional annual compensation of Seven Hundred Ninety-seven Dollars (\$797).
  - d. The chairman of each special committee shall be paid an additional monthly compensation of Sixty-six Dollars (\$66) for each calendar month during which the committee meets.

No member shall be entitled to but one additional compensation as provided in this paragraph (4). The right to each such additional compensation shall be established by the council rules and resolutions providing for the organization of the council or the establishment of the special committee.

- (5) Members of the city-county council, as part-time employees, may participate in employee benefit programs on the same basis as other elected and part-time employees of the City of Indianapolis.

Section 5.02. Annual Compensation of Employees of the Consolidated City and County.

(a) Pursuant to IC 36-3-6-3, the City-County Council fixes the annual compensation for the calendar year 1995 for all appointed officers, deputies and employees under its jurisdiction, as set forth in this section.

(b) The Annual Compensation for 1995 for all appointed officers, deputies and employees of the Consolidated City, except those of a special services district, is hereby fixed for all classified personnel as follows:

- (1) as set forth in the schedule in the Mayor's Executive Order No. 9, 1994, or
- (2) for hourly employees in a bargaining unit shall be paid in accordance with the terms of the Master Agreement as approved by the Mayor.

Such compensation shall not be increased without approval of the Council or in accordance with such wage and salary classification ordinance as may from time to time be adopted for city-county employees. For employees of the City-County Council, the President of the City-County Council shall classify all employees of the Council pursuant to the pertinent rules and regulations of the Council and establish their rates of compensation.

(c) For all appointed officers, deputies and employees, whose compensation is payable from the County General Fund or any other fund from which the County auditor issues warrants for compensation, are hereby fixed in accordance with schedules of compensation adopted pursuant to Article VI of Chapter 23 of the Code of Indianapolis and Marion County provided; however, that this subsection shall not affect the salaries of judges, officers of courts, prosecuting attorneys and deputy prosecuting attorneys whose minimum salaries are fixed by statute.

(d) The respective amounts set forth in Sections 1.01 and 1.02 of this ordinance for personal services are hereby appropriated and include all salaries, wages, compensation and fringe benefits associated therewith. No person whose compensation is subject to the jurisdiction of the Council shall be paid in excess of the amounts scheduled for such position pursuant to subsections (b) or (c) of this section without action by this Council.

(e) The scheduled annual salaries shall be paid on the basis of forty hours per week for hourly paid employees. Employees classified as "exempt" for purposes of the Federal Fair Labor Standards Act shall be salaried and such salaries paid on an annualized basis, and shall be required to regularly work a forty-hour (40) week, except for certain county offices which normally work only thirty-seven and one-half (37½) hours per week in which case the salary scheduled shall be reduced by 1/16 of the scheduled compensation.



Section 5.03. No Vested Rights Created.

The respective amounts specified for "Personal Services" in Sections 1.01 and 1.02 are appropriated subject to this section. No officer or employee, except elected officers whose salaries are stated in Section 5.01, shall have any vested right to receive such amount or any minimum amount except as may be accrued or otherwise provided by law. Control as to any decrease in compensation shall be vested in the body or officer having direction over the person affected, as provided by law.

Section 5.04. Enforcement.

Any employee of the city or county who authorizes the payment of, or accepts, any salary, wage or compensation, either as to separate persons or in gross, in excess of that authorized in this article or Sections 1.01 or 1.02, shall be indebted to the city or county for repayment of the excess; and such actions shall be grounds for impeachment, removal, or dismissal in the manner provided by law.

ARTICLE SIX  
SUMMARIES OF APPROPRIATIONS AND TAX LEVIES

Section 6.01. Summary of Consolidated City Appropriations and Tax Levies.

SUMMARIES OF APPROPRIATIONS, MISCELLANEOUS REVENUE, TAX LEVIES, NET ASSESSED VALUE AND TAX RATE					
Fund/Department	Approp.	Misc. Revenue	Tax Levy	Net Ass. Value	Tax Rate
Consolidated County	40,992,758	30,500,821	10,885,380	7,569,805,121	.1438
Air Pollution	1,866,968	1,897,723			
Community Services	14,282,747	14,282,747			
Workforce Development	1,358,291	1,369,800			
Redevelopment General	13,710,855	13,215,241	511,141	7,099,181,815	.0072
Metropolitan Development General	12,378,447	10,063,632	2,301,221	7,569,805,121	.0304
Sanitation General	33,124,582	34,983,791			
Solid Waste Disposal	23,578,955	23,651,369			
Flood Control General	629,189	203,372			
Transportation General	14,925,334	13,069,558			
Arterial Roads and Streets	9,634,630	8,923,347			
Parking Meter	2,500,322	2,080,000			
Historic Preservation	272,635	213,135			

September 28, 1994

SUMMARIES OF APPROPRIATIONS, MISCELLANEOUS REVENUE, TAX LEVIES, NET ASSESSED VALUE AND TAX RATE					
Fund/Department	Approp.	Misc. Revenue	Tax Levy	Net Ass. Value	Tax Rate
Park General/Golf	620,794	512,939			
City Cumulative Capital Development	13,562,640	3,102,690	10,648,774	7,099,182,815	.1500
Consolidated County Cumulative Capital Development	4,500,000	4,605,607			
City General Sinking	1,622,461	186,732	1,540,523	7,099,182,815	.0217
Redevelopment General Sinking	389,975	43,653	347,860	7,099,182,815	.0049
Sanitary District Sinking	16,176,300	1,954,561	14,305,644	6,951,235,935	.2058
Flood Control District Sinking	3,486,858	380,969	3,141,469	7,569,805,121	.0415
Metro Thoroughfare District Sinking	6,384,285	659,216	5,359,422	7,569,805,121	.0708
Park District Sinking	2,212,102	254,276	2,081,696	7,569,805,121	.0275
Sanitation Pilot Reserve	4,400,000	4,200,000			
IMAGIS Special Revenue	420,000	422,000			
Maintenance Operations General	32,905,227	31,044,785	1,915,161	7,569,805,121	.0253
Park General	19,148,221	6,073,603	13,042,774	7,569,805,121	.1723
TOTAL					



Section 6.02. Summary of County Appropriations and Tax Levies.

SUMMARIES OF APPROPRIATIONS, MISCELLANEOUS REVENUE, TAX LEVIES, NET ASSESSED VALUE AND TAX RATE					
Fund/Department	Approp.	Misc. Revenue	Tax Levy	Net Ass. Value	Tax Rate
County General	115,864,234	51,367,283	71,905,578	7,569,805,120	.9499
Property Reassessment	2,824,795	241,366	1,438,263	7,569,805,120	.0190
Surveyor's Corner Perpetuation	22,000	29,500		7,569,805,120	
Supplemental Adult Probation Fees	1,440,458	1,460,000		7,569,805,120	
Juvenile Probation Fees	100,529	60,000		7,569,805,120	
Guardian Ad Litem	60,300	60,300		7,569,805,120	
County User Fee	949,088	840,000		7,569,805,120	
Alcohol and Drug Services	231,724	222,000		7,569,805,120	
County Extradition	123,882	80,000		7,569,805,120	
Law Enforcement	2,090,036	570,000		7,569,805,120	
Law Enforcement Equitable Share	603,000	500,000		7,569,805,120	
Marion County Cumulative Capital Dev.	3,819,000	(3,663,029)	7,569,805	7,569,805,120	.1000
Supplemental Public Defender	358,840	358,840		7,569,805,120	
County Recorder's Perpetuation	197,948	155,000		7,569,805,120	
Information Services Agency	10,099,735	10,099,735		7,569,805,120	
Total	138,785,569	62,380,995	81,013,646		1.0689

ARTICLE SEVEN  
LEVY OF PROPERTY TAXES

Section 7.01. Tax Levies for Consolidated City and Its Special Taxing Districts.

(a) CONSOLIDATED COUNTY FUND. For the use and benefit of the Consolidated County Fund for the county-wide functions of the consolidated city, there is hereby levied and assessed, in the year 1994, collectible in the year 1995, the sum of fourteen and thirty-eight hundredths cents (\$.1438) on each one hundred dollars (\$100.00) of the assessed valuation of the taxable property of said Marion County, which taxes, when collected, shall be paid into the Consolidated County Fund.

(b) METROPOLITAN DEVELOPMENT GENERAL FUND. For the use and benefit of the Metropolitan Development Fund for the county-wide functions of the consolidated city, there is hereby levied and assessed, in the year 1994, collectible in the year 1995, the sum of three and four hundredths cents (\$.0304) on each one hundred dollars (\$100.00) of the assessed valuation of the taxable property of said Marion County, which taxes, when collected, shall be paid into the Metropolitan Development General Fund.

(c) CITY SINKING FUND. For the use and benefit of the City Sinking Fund, there is hereby levied and assessed, in the year 1994, collectible in the year 1995, the sum of two and seventeen hundredths cents (\$.0217) on each one hundred dollars (\$100.00) of the assessed valuation of the taxable property of the Consolidated City of Indianapolis, which taxes, when collected, shall be paid into the City Sinking Fund.

(d) INDIANAPOLIS CUMULATIVE CAPITAL DEVELOPMENT FUND. For the use and benefit of the Indianapolis Cumulative Capital Development Fund, there is hereby levied and assessed, in the year 1994, collectible in the year 1995, the sum of fifteen cents (\$.15) on each one hundred dollars (\$100.00) of the assessed valuation of the taxable property of the Consolidated City of Indianapolis, which taxes, when collected, shall be paid into the Indianapolis Cumulative Capital Development Fund.

(d) SPECIAL TAXING DISTRICTS' FUNDS. For the use and benefit of the Consolidated City of Indianapolis, there is hereby levied and assessed, in the year 1994, collectible in the year 1995, on the assessed valuation of taxable property of the City of Indianapolis, a consolidated city or in the applicable special taxing district thereof, as assessed and returned for taxation in said City, all of which levies are duly authorized by specific law, tax rates as follows:

- (1) REDEVELOPMENT GENERAL FUND: Zero and seventy-two hundredths cents (\$.0072) for the Redevelopment General Fund for each one hundred dollars (\$100.00) valuation of such special taxing district, taxable property;
- (2) MAINTENANCE OPERATION GENERAL FUND: Two and fifty-three hundredths cents (\$.0253) for the Maintenance Operation General Fund for each one hundred dollars (\$100.00) valuation of the flood control special taxing district, taxable property, County Assessed Valuation;
- (3) TRANSPORTATION GENERAL FUND: Zero cents (\$.0000) on each one hundred dollars (\$100.00) valuation of the Metropolitan Thoroughfare Special Taxing District property, County Assessed Valuation;
- (4) PARK GENERAL FUND: Seventeen and twenty-three hundredths cents (\$.1723) for the Park General Fund for each one hundred dollars (\$100.00) valuation of such special taxing district, taxable property, County Assessed Valuation;
- (5) REDEVELOPMENT DISTRICT SINKING FUND: Zero and forty-nine hundredths cents (\$.0049) for the Redevelopment Sinking Fund on each one hundred dollars (\$100.00) valuation of such special taxing district, taxable property;
- (6) SANITARY DISTRICT SINKING FUND: Twenty and fifty-eight hundredths cents (\$.2058) for the Sanitary District Sinking Fund on each one hundred dollars (\$100.00) valuation of such special taxing district;
- (7) FLOOD CONTROL DISTRICT SINKING FUND: Four and fifteen hundredths cents (\$.0415) for the Flood Control District Sinking Fund on each one hundred dollars (\$100.00) valuation of such special taxing district, taxable property, County Assessed Valuation;



- (8) PARK DISTRICT SINKING FUND: Two and seventy-five hundredths cents (\$.0275) for the Park District Sinking Fund on each one hundred dollars (\$100.00) valuation of such special taxing district property, County Assessed Valuation;
- (9) METROPOLITAN THOROUGHFARE SINKING FUND: Seven and eight hundredths cents (\$.0708) for the Metropolitan Thoroughfare Sinking Fund on each one hundred dollars (\$100.00) valuation on such special taxing district, taxable property, County Assessed Valuation.

Section 7.02. Tax Levies for Marion County Government for 1995.

(a) CONSOLIDATED COUNTY FUND. For the use and benefit of the County General Fund, there is hereby levied and assessed in 1994, collectible in the year 1995, the sum of ninety-four and ninety-nine hundredths cents (\$.9499) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the County General Fund in the County Treasury.

(b) MARION COUNTY CUMULATIVE CAPITAL DEVELOPMENT FUND. For the use and benefit of the Marion County Cumulative Capital Development Fund, there is hereby levied and assessed in 1994, collectible in the year 1995, the sum of ten cents (\$.1000) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the Marion County Cumulative Capital Development Fund in the County Treasury.

(c) COUNTY BOND SINKING FUND. For the use and benefit of the County Bond Sinking Fund, there is hereby levied and assessed in 1994, collectible in the year 1995, the sum of zero hundredths cents (\$.0000) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the County Bond Sinking Fund in the County Treasury.

(d) PROPERTY REASSESSMENT FUND. For the use and benefit of the 1997 Reassessment Fund, there is hereby levied and assessed in 1994, collectible in the year 1995, the sum of one and ninety hundredths cents (\$.0190) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the Property Reassessment Fund.

Section 7.03. Tax Levies for Municipal Corporations.

(a) INDIANAPOLIS-MARION COUNTY PUBLIC LIBRARY FUND. For the use and benefit of the Indianapolis-Marion County Public Library Fund, there is hereby levied and assessed or confirmed as may be required by law, on all real estate and improvements and all personal property subject thereto within the County of Marion, with the exception of that located within the City of Beech Grove, Indiana, and the Town of Speedway, Indiana, as assessed and returned for taxation in said County for the year 1994, collectible in the year 1995, a tax rate of twenty-seven and eighty-five hundredths cents (\$.2785) on each one hundred dollars (\$100.00) valuation of such taxable property, which levy is duly authorized by specific law.

(b) INDIANAPOLIS-MARION COUNTY PUBLIC LIBRARY SINKING FUND. For the use and benefit of the Indianapolis-Marion County Public Library Sinking Fund, there is hereby levied and assessed or confirmed as may be required by law, on all real estate and improvements and all personal property subject thereto within the County of Marion, with the exception of that located within the City of Beech Grove, Indiana, and the Town of Speedway, Indiana, as assessed and returned for taxation in said County for the year 1994, collectible in the year 1995, a tax rate of one and thirty-nine hundredths cents (\$.0139) on each one hundred dollars (\$100.00) valuation of such taxable property, which levy is duly authorized by specific law.

(c) INDIANAPOLIS PUBLIC TRANSPORTATION CORPORATION GENERAL FUND. For the use and benefit of the Indianapolis Public Transportation Corporation General Fund, there is hereby levied and assessed, in the year 1994, collectible in the year 1995, the sum of nine and fifty-three hundredths cents (\$.0953) on each one hundred dollars (\$100.00) of the assessed valuation of the taxable property of the Consolidated City of Indianapolis, which taxes, when collected, shall be paid into the Indianapolis Public Transportation Corporation General Fund.

(d) INDIANAPOLIS PUBLIC TRANSPORTATION CORPORATION BOND SINKING FUND. For the use and benefit of the Indianapolis Public Transportation Corporation Bond Sinking Fund, there is hereby levied and assessed, in the year 1994, collectible in the year 1995, the sum of one and sixty-six hundredths cents (\$.0166) on each one hundred dollars (\$100.00) of the assessed valuation of the taxable property of the



Consolidated City of Indianapolis, which taxes, when collected, shall be paid into the Indianapolis Public Transportation Corporation Bond Sinking Fund.

(e) HEALTH AND HOSPITAL FUND. For the use and benefit of the Health and Hospital Fund, there is hereby levied and assessed in 1994, collectible in the year 1995, the sum of eighty and twenty-six hundredths cents (\$.8026) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the Health and Hospital Fund.

(f) HEALTH AND HOSPITAL BOND FUND. For the use and benefit of the Health and Hospital Bond Fund, there is hereby levied and assessed in 1994, collectible in the year 1995, the sum of three and thirty-eight hundredths cents (\$.0338) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the Health and Hospital Bond Fund.

(g) HEALTH AND HOSPITAL CUMULATIVE BUILDING FUND. For the use and benefit of the Health and Hospital Cumulative Building Fund, there is hereby levied and assessed in 1994, collectible in the year 1995, the sum of twenty hundredths cents (\$.2000) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the Health and Hospital Bond Cumulative Building Fund.

#### ARTICLE EIGHT COLLECTION AND EFFECTIVE DATE

##### Section 8.01. Collection of Tax Levies.

The Auditor of Marion County, Indiana, is hereby ordered and directed to place all the tax levies set forth in this ordinance (as approved by the State Board of Tax Commissioners) upon the property tax duplicate. The County Treasurer of such county, ex-officio City Treasurer, is hereby ordered and directed to collect the levies stated in Section 7.01 for the City of Indianapolis, a Consolidated City, and its special taxing districts, and make due report thereof as provided by law.

##### Section 8.02. Effective Date.

This ordinance shall be in full force and effect beginning January 1, 1995, after passage by the City-County Council, approval by the Mayor, (or passage over his veto), and approval by the County Tax Adjustment Board and State Board of Tax Commissioners as required by law; except that, any part of this ordinance providing for the budget or appropriating money for an office or officer of the county provided for by the Constitution of Indiana or a judicial office or officer shall not be subject to the veto of the Mayor.

Councillor Gilmer asked for consent to introduce Proposal No. 570, 1994. Consent was given. Councillor Gilmer moved that the rules on the introduction of proposals be suspended to allow the introduction of Proposal No. 570, 1994, which amends the Code by authorizing a traffic signal for Michigan Road and the entrance to Lowe's (8440 No.) (District 2). Councillor Gilmer said that Lowe's is paying for the equipment and the installation of this traffic signal. Councillor Gilmer's motion passed by unanimous voice vote.

PROPOSAL NOS. 243 and 245, 1994. PROPOSAL NO. 243, 1994. The proposal appropriates \$645,000 for the Sheriff to cover food expense for the jail inmates through the end of the year and to pay for inmate housing at the Riverside Community Corrections facility. PROPOSAL NO. 245, 1994. The proposal appropriates \$58,971 for Community Corrections to provide additional security to supervise an increased number of inmates being housed in the Community Corrections Center. Councillor Dowden asked for consent to postpone Proposal Nos. 243 and 245, 1994 until November 1, 1994. Consent was given.

PROPOSAL NO. 362, 1994. The proposal is an appropriation to hire a deputy prosecutor to prosecute drunk driving cases and develop a new sentencing program for the Prosecuting Attorney from the County Drug Free Community Fund in the amount of \$36,750 financed by Drug Free Community Fees. Councillor Dowden asked for consent to table Proposal No. 362, 1994. Consent was given.



PROPOSAL NO. 480, 1994. The proposal is an appropriation to purchase additional office supplies and computer equipment for the Superior Court, Criminal Division, Room Three, from the County General Fund in the amount of \$4,632 financed by revenues from that fund. Councillor Dowden asked for consent to postpone Proposal No. 480, 1994 until November 14, 1994. Consent was given.

### SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 428, 1994. Councillor O'Dell reported that the Community Affairs Committee heard Proposal No. 428, 1994 on September 20, 1994. The proposal is an appropriation to pay salary and wages for the remainder of the year for the Marion County Healthcare Center from the County General Fund in the amount of \$350,000 financed by a transfer between characters in that fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor O'Dell moved, seconded by Councillor West, for adoption. Proposal No. 428, 1994 was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

2 NOT VOTING: *Dowden, Schneider*

2 NOT PRESENT: *Giffin, Jimison*

Proposal No. 428, 1994 was retitled FISCAL ORDINANCE NO. 89, 1994 and reads as follows:

#### CITY-COUNTY FISCAL ORDINANCE NO. 89, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Three Hundred Fifty Thousand Dollars (\$350,000) in the County General Fund for purposes of the Marion County Healthcare Center and reducing certain other appropriations for that Agency.

#### BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (l) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Marion County Healthcare Center to pay salary and wages for the remainder of the year.

SECTION 2. The sum of Three Hundred Fifty Thousand Dollars (\$350,000) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

#### MARION COUNTY HEALTHCARE CENTER

1. Personal Services  
TOTAL INCREASE

#### COUNTY GENERAL FUND

350,000  
350,000

SECTION 4. The said increased appropriation is funded by the following reductions:

September 28, 1994

MARION COUNTY HEALTHCARE CENTER

- 2. Supplies
- 3. Other Services and Charges
- 4. Capital Outlay
- TOTAL REDUCTION

COUNTY GENERAL FUND

225,000  
50,000  
75,000  
350,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

The President asked Councillor O'Dell to give a report concerning the future of Marion County Healthcare Center at the Council meeting on October 17, 1994.

PROPOSAL NO. 430, 1994. Councillor O'Dell reported that the Community Affairs Committee heard Proposal No. 430, 1994 on September 20, 1994. The proposal approves the schedule of charges for the care and maintenance of patients or residents of the Marion County Healthcare Center. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor O'Dell moved, seconded by Councillor Coughenour, for adoption. Proposal No. 430, 1994 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
0 NAYS:  
2 NOT PRESENT: *Giffin, Jimison*

Proposal No. 430, 1994 was retitled GENERAL RESOLUTION NO. 7, 1994 and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 7, 1994

A GENERAL RESOLUTION approving the schedule of charges for the care and maintenance of patients or residents of the Marion County Healthcare Center.

WHEREAS, the Board of Managers of the Marion County Healthcare Center is directed, by Indiana Code 12-30-3-18, to fix the schedule of charges for the care and maintenance of patients or residents of the Marion County Healthcare Center; and

WHEREAS, on July 20, 1994, the Board of Managers of the Marion County Healthcare Center unanimously voted to increase the schedule of charges and to fix that schedule of charges as described in Exhibit A attached; and

WHEREAS, these rates are based on a fair and reasonable estimate of the cost of care and do not anticipate any profit from rendering such care; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The City-County Council of Indianapolis and Marion County hereby approves the schedule of charges set by the Marion County Healthcare Center Board of Managers at its June meeting as described in Exhibit A attached.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.



EXHIBIT A  
MARION COUNTY HEALTHCARE CENTER  
PROPOSED RATE SCHEDULE  
EFFECTIVE JANUARY 1, 1995

I. <u>DAILY ROOM RATES</u>	1994 Charge Rates		1995 Charge Rates		Percent Increase
	<u>SNF</u>	<u>ICF</u>	<u>SNF</u>	<u>ICF</u>	
Self-Pay	\$100.00	\$82.65	\$106.00	\$87.61	6.0%
Medicare*	135.00	0.00	143.00	0.00	5.9%
Medicaid**	100.00	82.65	106.00	87.61	6.0%
Township***	100.00	82.65	106.00	87.61	6.0%

NOTE: \* Actual Medicare reimbursement rate as of April 1, 1994 is \$134.74/day.

\*\* Actual Medicaid reimbursement rate as of April 1, 1994 is \$75.85/day for SNF and \$59.48/day for ICF

\*\*\* Actual Township reimbursement rate is \$100.00/month.

II. DAY CENTER

Daily Rate - Outside Client	\$ 25.00	\$ 30.00	20.0%
Daily Rate - MCHC Client	10.00	12.00	20.0%
Transportation (Round Trip)	6.50	7.50	15.4%

III. ANCILLARY

Medical Supplies	Cost plus 50%	Cost plus 50%
Personal Care Items	Cost plus 50%	Cost plus 50%
Pharmacy	AWP plus 50% plus dispensing	AWP plus 50%, plus dispensing fee

IV. THERAPIES

Physical Therapy Initial Evaluation	\$110.00	\$116.75	6.1%
Treatments	49.50/30 min.	52.50/30 min.	6.1%
Speech Therapy	41.25/15 min.	43.75/15 min.	6.1%
Occupational Therapy Initial Evaluation	\$99.00	\$105.00	6.1%
Treatments	24.75/15 min.	26.25/15 min.	6.1%

V. PHYSICIAN SERVICES

New Patient Admission	\$51.75	\$55.00	6.3%
Routine Visit	35.00	37.25	6.4%
History & Physical	38.75	41.25	6.5%
Re-admit	42.25	45.00	6.5%

VI. BEAUTY SHOP

Haircuts	\$6.60	\$7.00	6.1%
Beard Trim	2.50	2.75	10.0%
Shampoo & Set	5.50	6.00	9.1%
Shampoo Only	4.00	4.25	6.3%
Permanent	20.00	21.25	6.3%
Hair Color	11.00	12.00	9.1%

VII. CLOTHING

	Cost plus 50%	Cost plus 50%
--	---------------	---------------

PROPOSAL NO. 484, 1994. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 484, 1994 on September 15, 1994. The proposal amends the Revised Code concerning the divisions within the Department of Public Works. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Coughenour moved, seconded by Councillor Rhodes, for adoption.

Councillor Williams asked that the Public Works Committee give a report concerning the fish kill along the White River which occurred on September 26, 1994. Councillor Coughenour said she is also concerned about the fish kill and will have a report for the Council.

Proposal No. 484, 1994, as amended, was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
0 NAYS:  
2 NOT PRESENT: *Giffin, Jimison*

Proposal No. 484, 1994, as amended, was retitled GENERAL ORDINANCE NO. 133, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 133, 1994

A GENERAL ORDINANCE amending Sections 261-13, 261-101, 261-201, 261-301 and 261-401 of the Revised Code of the Consolidated City and County.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 261-13 of the Revised Code of the Consolidated City and County is hereby amended by inserting the underlined text and deleting the cross-hatched text to read as follows:

Sec. 261-13. Divisions.

The department of public works shall be composed of the following divisions:

- (1) ~~Wastewater management~~ Contract compliance division.
- (2) Solid waste management division.
- (3) Environmental resources management division.
- (4) Maintenance operations division.

SECTION 2. Section 261-101 of the Revised Code of the Consolidated City and County is hereby amended by inserting the underlined text and deleting the cross-hatched text to read as follows:

Sec. 261-101. ~~Wastewater management~~ Contract compliance division.

The ~~wastewater management~~ contract compliance division shall:

- (1) Provide for the treatment of wastewater through an operations and maintenance contract:
- (2) ~~Provide~~ Monitor and coordinate with the Department of Capital Asset Management for the design, construction, and repair ~~operation and maintenance~~ of wastewater treatment facilities;



- (3) Provide for the billing and collection of sewer service accounts; ~~and~~
- (4) Administer and monitor compliance with contracts between the City of Indianapolis and private contractors as designated by the director of the department of public works;
- (5) Administer the sweeping of public streets and the mowing of medians and public roadsides;
- (6) Coordinate compliance with the environmental nuisance ordinance and the department of public works weed abatement program; and
- (47) Exercise any other powers which may be granted by statute or ordinance or delegated by the mayor.

SECTION 3. Section 261-201 of the Revised Code of the Consolidated City and County is hereby amended by inserting the underlined text and deleting the cross-hatched text to read as follows:

Sec. 261-201. Solid waste management division.

The solid waste management division shall:

- (1) Provide for collection and disposal of ~~residential~~ solid waste in the solid waste collection and disposal service districts;
- (2) Ticket, tow and dispose of abandoned vehicles in the consolidated city, except to the extent the department of public safety disposes of vehicles impounded and stored by the police department and subject to disposal as abandoned vehicles pursuant to chapter 29 of the Code of Indianapolis and Marion County, Indiana;
- (3) Facilitate solid waste reduction programs;
- (4) ~~Be responsible for weed abatement on public and private property within the consolidated city other than that for which the township trustee is responsible;~~
- (54) Facilitate ordinance enforcement related to solid waste management;
- (65) Provide for disposal of dead animal bodies and body parts as provided for in chapter 6 of the Code of Indianapolis and Marion County;
- (76) Be responsible for solid waste management activities as provided by law; and
- (87) Exercise any other powers which may be granted by statute or ordinance or delegated by the mayor.

SECTION 4. Section 261-301 of the Revised Code of the Consolidated City and County is hereby amended by inserting the underlined text and deleting the cross-hatched text to read as follows:

Sec. 261-301. Environmental resources management division.

The environmental resources management division shall:

- (1) Provide management and support to the department in the areas of environmental policy and planning for air, water and land pollution control;
- (2) Perform environmental audits and assessments and pollution control programs ~~and services~~ to improve the environmental quality in the consolidated city with regard to groundwater, surface water and hazardous waste;
- (3) Approve plans and issue permits for, and otherwise monitor and regulate, industrial, commercial and any other nondomestic discharges into the sewer system, as described in chapter ~~27~~ 671 of the Code of Indianapolis and Marion County, Indiana;
- (4) Monitor and regulate septage hauling;

September 28, 1994

- (5) Respond to hazardous waste spills and other emergencies which threaten contamination of sewers, groundwater or surface water;
- (6) Provide ~~engineering and technical~~ environmental management services and assistance to other divisions and departments as necessary;
- (7) Carry out strategies to achieve and maintain acceptable air purity in the county as provided in chapter 4 of the Code of Indianapolis and Marion County, Indiana;
- ~~(8) Provide training safety including, but not limited to, hazardous material safety and operational training and safety; and~~
- (98) Exercise any other powers which may be granted by statute or ordinance or delegated by the mayor.

SECTION 5. Section 261-401 of the Revised Code of the Consolidated City and County is hereby amended by inserting the underlined text and deleting the cross-hatched text to read as follows:

Sec. 261-401. Maintenance operations division.

The operations division shall:

- (1) Maintain drains, ditches, rivers, creeks and other watercourses as provided by law;
- (2) Maintain levees throughout the flood control district as provided by law;
- (3) Maintain Eagle Creek Dam and regulate the water level of the Eagle Creek Reservoir;
- (4) Maintain the stormwater and wastewater collection systems as provided by law;
- (5) Implement and manage department infrastructure maintenance projects, including maintenance of streets and traffic control devices and snow removal;
- (6) Develop, implement and manage department reactive service and emergency programs;
- (7) Exercise any other powers which may be granted by statute or ordinance or delegated by the mayor;  
~~and~~
- (8) Develop public works maintenance improvement plans and implement and manage other maintenance services as may be agreed with other departments;
- (9) Be responsible for weed abatement on public and private property within the consolidated city other than that for which the township trustee is responsible; and
- (10) Provide training safety including, but not limited to, hazardous material safety and operational training and safety.

SECTION 6. The express or implied repeal or amendment by this ordinance or any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 7. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 8. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NO. 517, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 517, 1994 on September 21, 1994. The



proposal is an appropriation to make technical corrections to F.O. 67, 1994 which authorized appropriations to the Prosecuting Attorney, County Sheriff, County Auditor and Presiding Judge of the Municipal Court from fees generated in the Deferral Program Fee Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 517, 1994 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

2 NOT PRESENT: *Giffin, Jimison*

Proposal No. 517, 1994 was retitled FISCAL ORDINANCE NO. 90, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 90, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Forty-seven Thousand Two Hundred Three Dollars (\$47,203) in the Deferral Program Fee Fund for purposes of the County Auditor and Prosecuting Attorney and reducing certain other appropriations for the Prosecuting Attorney.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b) and (w) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of making a technical amendment to Fiscal Ordinance No. 67, 1994.

SECTION 2. The sum of Forty-seven Thousand Two Hundred Three Dollars (\$47,203) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>DEFERRAL PROGRAM FEE FUND</u>
1. Personal Services	6,075
 <u>PROSECUTING ATTORNEY</u>	
1. Personal Services	27,000
4. Capital Outlay	<u>14,128</u>
 TOTAL INCREASE	47,203

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>PROSECUTING ATTORNEY</u>	<u>DEFERRAL PROGRAM FEE FUND</u>
3. Other Services and Charges	<u>47,203</u>
TOTAL REDUCTION	47,203

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

NEW BUSINESS

Councillor McClamroch thanked the Council staff for their excellent work through the budget process. Councillor McClamroch said he would like Robert Elrod and Jack Borgerding to be

September 28, 1994

able to make technical amendments to proposals; therefore, he moved that the City-County Council staff in conjunction with the Marion County Auditor and the City Controller be authorized to make whatever technical changes that become necessary in the various annual budgets for 1995 that were passed at this meeting. Councillor Curry seconded this motion, and it passed by unanimous voice vote.

Councillor Boyd said that he held a meeting concerning the Department of Parks and Recreation on September 27, 1994. There will be a another meeting concerning the golf issues on October 4, 1994.

#### ANNOUNCEMENTS AND ADJOURNMENT

Councillor Boyd stated that he has been asked to offer the following motion for adjournment by Councillor Williams. Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Victor J. Zore, Sr. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the family advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 11:10 p.m.

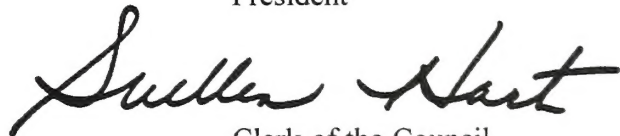
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 28th day of September, 1994.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Clerk of the Council

(SEAL)



1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, OCTOBER 17, 1994**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:04 p.m. on Monday, October 17, 1994, with Councillor SerVaas presiding.

Councillor Borst led the opening prayer and invited all present to join in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*29 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

A quorum of twenty-nine members being present, the President called the meeting to order.

**OFFICIAL COMMUNICATIONS**

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers,



*Journal of the City-County Council*

on Monday, October 17, 1994, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Beurt SerVaas  
President, City-County Council

October 4, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, October 6, 1994, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 518 and 546, 1994, to be held on Monday, October 17, 1994, at 7:00 p.m., in the City-County Building.

Respectfully,  
s/Suellen Hart  
Clerk of the City-County Council

September 29, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances and resolutions:

GENERAL ORDINANCE NO. 133, 1994 - amending the Revised Code concerning the divisions within the Department of Public Works

FISCAL ORDINANCE NO. 83, 1994 - to cover IPD and IFD needs from the Sanitation PILOT Reserve Fund

FISCAL ORDINANCE NO. 84, 1994 - Public Housing Division

FISCAL ORDINANCE NO. 85, 1994 - Revenue Bonds Debt Service Funds

FISCAL ORDINANCE NO. 86, 1994 - Marion County Office of Family and Children

FISCAL ORDINANCE NO. 87, 1994 - Metropolitan Emergency Communications Agency

FISCAL ORDINANCE NO. 88, 1994 - Combined Indianapolis and Marion County Budgets

FISCAL ORDINANCE NO. 89, 1994 - an appropriation to pay salary and wages for the remainder of the year for the Marion County Healthcare Center from the County General Fund in the amount of \$350,000 financed by a transfer between characters in that fund

FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1994 - the annual budget for the Fire Special Service District for 1995

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1994 - the annual budget for the Police Special Service District for 1995

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1994 - the annual budget for the Solid Waste Collection Special Service District for 1995

GENERAL RESOLUTION NO. 7, 1994 - approving the schedule of charges for the care and maintenance of patients or residents of the Marion County Healthcare Center

October 17, 1994

SPECIAL RESOLUTION NO. 66, 1994 - amending S.R. 20, 1994 (Inducement Resolution for EPI Printers, Inc.) by (i) extending the expiration date to April 30, 1995; (ii) deleting the address of 7340 East 68th Street and replacing it with the address of 7502 East 86th Street; and (iii) revising the definition of the Applicant to include V.I.B., Inc. (District 3)

SPECIAL RESOLUTION NO. 67, 1994 - an Inducement Resolution for Comar, Inc. to proceed with the acquisition, construction, installation and equipping of an approximately 105,000 square foot building to be located in the 4600 block of West 84th Street on approximately 7.92 acres of land which will be used by the Applicant for the manufacturing of custom glass and plastic packaging for use in the pharmaceutical, medical, diagnostic, healthcare, and cosmetics industries; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (District 1)

Respectfully,  
s/Stephen Goldsmith, Mayor

### **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

### **APPROVAL OF JOURNALS**

President SerVaas called for additions or corrections to the Journal of September 28, 1994. There being no additions or corrections, the minutes were approved as distributed.

### **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 601, 1994. The proposal, sponsored by Councillors Coughenour and Rhodes, concerns unfunded mandates. Councillor Coughenour stated that many City governments throughout the country are introducing similar resolutions in response to the efforts of The National League of Cities, The National Association of Counties, and the Conference of Mayors in protesting unfunded federal mandates. Councillor Coughenour read the resolution. Councillor Coughenour moved, seconded by Councillor Gilmer, for adoption. Councillor Schneider stated that there are many federal mandates that would be unwanted even if funding was provided. Councillor Coughenour agreed and stated that many of the mandates would probably be eliminated if the government had to provide funding. Proposal No. 601, 1994 was adopted by unanimous voice vote.

Proposal No. 601, 1994 was retitled SPECIAL RESOLUTION NO. 68, 1994 and reads as follows:

#### **CITY-COUNTY SPECIAL RESOLUTION NO. 68, 1994**

A SPECIAL RESOLUTION on unfunded mandates.

WHEREAS, unfunded federal mandates on state and local governments have increased significantly in recent years; and

WHEREAS, federal mandates require cities and towns to perform duties without consideration of local circumstances, costs or capacity, and subject municipalities to civil or criminal penalties for noncompliance; and

WHEREAS, federal mandates require compliance regardless of other pressing local needs and priorities affecting the health, welfare and safety of municipal citizens; and



WHEREAS, excessive federal burdens on local governments force some combination of higher local taxes and fees and/or reduced local services on citizens and local taxpayers; and

WHEREAS, federal mandates are too often inflexible, one-size-fits-all requirements that impose unrealistic time frames and specify procedures or facilities where less costly alternatives might be just as effective; and

WHEREAS, existing mandates impose harsh pressures on local budgets and the federal government has imposed a freeze upon funding to help compensate for any new mandates; and

WHEREAS, the cumulative impact of these legislative and regulatory actions directly affect the citizens of our cities and towns; and

WHEREAS, the National League of Cities, National Association of Counties and the Conference of Mayors, following up on last year's successful effort, is continuing its national public education campaign to help citizens understand and then reduce the burden and inflexibility of unfunded mandates, including a National Unfunded Mandates week, October 24-30, 1994; and

WHEREAS, Congress failed to take action concerning unfunded mandates in the recently adjourned session; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council endorses the efforts of the National League of Cities, National Association of Counties and the Conference of Mayors, and supports working with them to fully inform our citizens about the impact of federal mandates on our government and the pocketbooks of our citizens.

SECTION 2. The Council resolves to continue our efforts to work with members of our Congressional delegation to educate them about the impact of federal mandates and actions necessary to reduce their burden on our citizens

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 602, 1994. The proposal supports the "I Have a Dream" National Youth Assembly. Councillor Jimison stated that for the last seven years the Federal King Commission has sponsored an "I Have a Dream" National Youth Assembly. The Commission is seeking a Midwestern City to host the event in 1995. This proposal supports Indianapolis as the host city for 1995. Councillor Jimison read the resolution and urged the Council to vote in favor of it. Councillor Jimison moved, seconded by Councillor Williams, for adoption. Proposal No. 602, 1994 was adopted by unanimous voice vote.

Proposal No. 602, 1994 was retitled SPECIAL RESOLUTION NO. 69, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 69, 1994

A SPECIAL RESOLUTION supporting the "I Have A Dream" National Youth Assembly.

WHEREAS, each year The Martin Luther King, Jr. Federal Holiday Commission sponsors a critically important "I Have A Dream" National Youth Assembly; and

WHEREAS, local sponsors are preparing a bid for Indianapolis to host the August, 1995, Assembly; and

WHEREAS, a thousand young people would be expected to attend the Assembly, which would combine education against violence, inspiration, and a positive experience for these youth; and

*October 17, 1994*

WHEREAS, Indianapolis is an ideal location for this Assembly because of its excellent transportation network, hotels, points of interest, experience in hosting large conventions and conferences--and because of its motivated "Can do" residents; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council encourages the local organizers to make a strong and viable bid for Indianapolis to host the August, 1995, "I Have A Dream" National Youth Assembly.

SECTION 2. The Council urges all interested citizens to fully participate in bidding for, organizing and staging this important Assembly.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 545, 1994. Introduced by Councillors Rhodes and Mullin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by creating an incentive pay fund as a nonreverting fund"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 573, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the County General Fund in the amount of \$75,000 for technical assistance for maintaining service levels for the Information Services Agency financed by transferring other appropriations for that agency"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 574, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION determining the need to lease office space at Thomson Consumer Electronics, 600 North Sherman Drive, for the Department of Capital Asset Management's Asset Planning and Project Management Divisions"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 575, 1994. Introduced by Councillors Borst, Hinkle and Rhodes. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION requesting the Metropolitan Development Commission to initiate and adopt amendments to the Central Business District Zoning Ordinance to prohibit off-track betting facilities unless zoned as a special use (SU 44)"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 576, 1994. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the County General Fund in the amount of \$1,100 to pay for a new computer for the Superior Court, Criminal Division, Room Five, financed by transferring other appropriations for that court"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 577, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the State and Federal Grants Fund in the amount of \$44,830 for the continued operation of the Victim



Assistance Program for the County Sheriff financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 578, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the State and Federal Grants Fund in the amount of \$22,119 for the continued operation of the Child Abuse Intervention Program for the County Sheriff financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 579, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the County General Fund in the amount of \$37,678 to pay for miscellaneous contractual amounts for the County Sheriff financed by transferring other appropriations for that department"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 580, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the State and Federal Grants Fund in the amount of \$365,000 to pay for the continuation of a comprehensive traffic safety program in Marion County for the Prosecuting Attorney financed by a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 581, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the State and Federal Grants Fund in the amount of \$122,759 for the continuation of the Victim Witness Program through the Prosecuting Attorney financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 582, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the State and Federal Grants Fund in the amount of \$28,454 to pay for the continuation of Salvation Army's Domestic Violence Program through the Prosecuting Attorney financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 583, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the State and Federal Grants Fund in the amount of \$7,385 for the continuation of Adult Protective Services through the Prosecuting Attorney financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 584, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the State and Federal Grants Fund in the amount of \$109,094 to study sentencing alternatives for drunk drivers for the Prosecuting Attorney financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.



PROPOSAL NO. 585, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the State and Federal Grants Fund in the amount of \$521,656 for the Community Corrections Agency financed by a state grant for home detention services for the Juvenile Division of the Superior Court"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 586, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION requesting the Indianapolis-Marion County Building Authority to prepare specifications for provision of security services for the courts and to issue a request for proposals from private companies for such services"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 587, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving an amendment to the public lighting contract between the Indianapolis Power & Light Company and the City"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 588, 1994. Introduced by Councillor Jimison. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a traffic signal at Limestone Street and Michigan Street (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 589, 1994. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Kingsley Drive and 49th Street (District 6)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 590, 1994. Introduced by Councillors Rhodes and McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION requesting the Metropolitan Development Commission to initiate and adopt amendments to the Dwelling District Zoning Ordinance to prohibit residential group homes for the mentally ill from locating within 3000 feet of another such facility"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 591, 1994. Introduced by Councillors Coughenour and Borst. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION rejecting certain regulations of the Board of Capital Asset Management"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 603, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Rules of Council with respect to public hearings on requests for additional appropriations"; and the President referred it to the Rules and Public Policy Committee.

#### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 571, 1994. Councillor Borst reported that the Economic Development Committee heard Proposal No. 571, 1994 on October 6, 1994. The proposal amends S.R. No. 54, 1994 (Inducement Resolution for North American Laboratory Company in an amount not



to exceed \$3,000,000 for the acquisition, construction and equipping of an approximately 50,000 square foot building to be located at the southwest corner of 62nd Street and Guion Road which will be used for the manufacturing of a variety of dry mix products for the healthcare and food service industries) by revising the definition of the Applicant. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Smith, for adoption. Proposal No. 571, 1994 was adopted on the following roll call vote; viz:

*22 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Giffin, Golc, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, Shambaugh, Short, Smith, West, Williams*

*0 NAYS:*

*7 NOT VOTING: Beadling, Dowden, Gilmer, Gray, Jones, Ruhmkorff, SerVaas*

Proposal No. 571, 1994 was retitled SPECIAL RESOLUTION NO. 70, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 70, 1994

A SPECIAL RESOLUTION amending City-County Special Resolution No. 54, 1994 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 54, 1994 (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by North American Laboratory Company (the "Company") and the Company has now advised the Indianapolis Economic Development Commission and the City that it wishes to have greater flexibility as it proceeds to structure the financing and accordingly has requested that the definition of the Applicant as contained in City-County Special Resolution No. 54, 1994 be amended by also including a to-be-formed corporation, partnership or limited liability company, the shareholders, partners or members of which will be existing shareholders of North American Laboratory Company (Ronald H. Stern, Michael R. Oestreicher, Diana Oestreicher and Phillip E. Himelstein) and that the project description contained in the Inducement Resolution remains unchanged in all other respects; and now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended so that the definition of the Applicant reads as follows: "North American Laboratory Company or a to-be-formed corporation, partnership or limited liability company, the shareholders, partners or members of which will be existing shareholders of North American Laboratory Company (Ronald H. Stern, Michael R. Oestreicher, Diana Oestreicher and Phillip E. Himelstein)."

SECTION 2. The City-County Council further finds, determined, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 572, 1994. Councillor Borst reported that the Economic Development Committee heard Proposal No. 572, 1994 on October 6, 1994. The proposal authorizes the

City of Indianapolis to issue its City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1994 (Knob-in-the-Woods Project) in an amount not to exceed \$8,900,000 for F.C. Indianapolis L.P. for the acquisition, renovation and equipping of the existing 520 unit multi-family residential rental project known as Knob in the Woods apartments located at 2130 Waterford Place on approximately 66 acres of land. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst stated that this proposal was technically amended after being passed by the committee and all councillors have been provided with the changes. Councillor Borst moved, seconded by Councillor West, to adopt the technical amendment. The motion carried by a unanimous voice vote.

Councillor Borst moved, seconded by Councillor West, for adoption. Proposal No. 572, 1994 was adopted on the following roll call vote; viz:

*27 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

*0 NAYS:*

*2 NOT VOTING: Golc, Moriarty Adams*

Proposal No. 572, 1994 was retitled SPECIAL ORDINANCE NO. 12, 1994 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 12, 1994

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1994 (Knob-In-The-Woods Project), in the aggregate principal amount not to exceed \$8,900,000 (the "Bonds"), and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code Title 36, Article 7, Chapters 11.9 and 12 (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, the Act provides that an issuer may, pursuant to the Act, issue revenue bonds and lend the proceeds thereof to a corporation, partnership or individual for the purpose of financing costs of acquisition or construction of facilities, including real and personal property, for diversification of economic development and promotion of job opportunities in or near such issuer; and

WHEREAS, the Act provides that such bonds may be secured by a trust indenture between an issuer and a corporate trustee; and

WHEREAS, a representative of F.C. Indianapolis L.P. (the "Company") has requested that the City of Indianapolis Indiana (the "Issuer") issue bonds and lend the proceeds thereof to the Company in order to enable the Company to undertake and complete the acquisition, renovation and equipping of the existing 520 unit multifamily residential rental project known as Knob in the Woods apartments located at 2130 Waterford Place, Indianapolis, Indiana on approximately 66 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (the "Project"); and

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for the Company and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, pursuant to and in accordance with the Act, the Issuer desires to provide funds to finance the acquisition, renovation and equipping of the Project by issuing its City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1994 (Knob-In-The-Woods Project), in the aggregate principal amount not to exceed \$8,900,000 (the "Bonds"); and



WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on October 5, 1994 pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24 and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of the Project which will be initially owned by the Company complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the Issuer and its citizens; and

WHEREAS, the Issuer intends to issue the Bonds pursuant to an Indenture of Trust (the "Indenture") dated as of November 1, 1994 by and between the Issuer and National City Bank, Indiana, as Trustee (the "Trustee") in order to obtain funds to lend to the Company pursuant to a Financing Agreement (the "Financing Agreement") dated as of November 1, 1994, between the Issuer, the Trustee, Washington Capital DUS, Inc., as Lender and the Company for the purpose of financing or providing reimbursement for the cost of the Project and to pay a portion of the costs of issuance of the Bonds; and

WHEREAS, the Financing Agreement provides that the proceeds of the Bonds shall be used to enable Washington Capital DUS, Inc. to make a mortgage loan to the Company and for the issuance of a Guaranteed Pass-through Certificate (the "PTC") by the Federal National Mortgage Association pursuant to which PTC, payments sufficient to pay the principal and interest on the Bonds and certain administrative expenses in connection with the Bonds, shall be made; and

WHEREAS, the financing will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating in the same market area or in or about Marion County, Indiana; and

WHEREAS, the Indianapolis Economic Development Commission has approved the substantially final forms of the Financing Agreement, Indenture, Purchase Contract, Preliminary Official Statement, Regulatory Agreement, the form of the Bonds (hereinafter referred to collectively as the "Financing Documents") and this proposed form of special ordinance by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, the loan of the net proceeds thereof to the Company for the purposes of financing or providing reimbursement for a portion of the cost of the Project, and the repayment of said loan by the Company will be of benefit to the health or general welfare of the Issuer and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents presented herewith are hereby approved and all such documents shall be kept on file by the Clerk of the Council or City-Controller. In compliance with Indiana Code Title 36, Article 1, Chapter 5, Section 4, two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Issuer shall issue its Bonds in the aggregate principal amount not to exceed Eight Million Nine Hundred Thousand Dollars (\$8,900,000) for the purpose of procuring funds to loan to the Company in order to finance or provide reimbursement for a portion of the cost of the Project which Bonds will be payable as to principal and interest solely from payments to be made pursuant to the PTC and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

SECTION 4. Rule 15c2-12(b)(1) of the Securities Exchange Act of 1934, as amended (the "SEC Rule"), provides that, prior to the time a participating underwriter or placement agent bids for, purchases, offers or sells municipal securities, the participating underwriter or placement agent shall obtain and review an official statement that an issuer of such securities deems a "near final" official statement. The Preliminary Official Statement is hereby deemed final as of its date, except for the omission of no more than the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, ratings and other terms of the securities depending on such matters. The Mayor, the City Clerk or any other officer of the Issuer familiar with the matters with respect to the Issuer set forth in the Preliminary Official Statement is hereby authorized to certify to CS First Boston (the "Underwriter") that the information in the Preliminary Official Statement with respect to the Issuer is deemed to be final within the meaning of the SEC Rule prior to the distribution of the Preliminary Official Statement.



October 17, 1994

SECTION 5. The City Clerk and City Controller are authorized and directed to sell such Bonds to the Placement Agent at a price not less than 98% of the aggregate principal amount thereof, plus accrued interest, if any, and at a stated per annum rate of interest not to exceed eight percent (8.0%) per annum. The use of a Final Official Statement in substantially the same form as the Preliminary Official Statement approved herein is approved for use and distribution by the Underwriter and its agents in connection with the marketing of the Bonds.

SECTION 6. The Mayor and City Clerk are authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and City Clerk and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be facsimile signatures. The City Clerk and City Controller are authorized to arrange for the delivery of such Bonds to the Underwriter, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 7. The provisions of this special ordinance and the Financing Documents shall constitute a contract binding between the Issuer and the holder or holders of the Bonds and after the issuance of said Bonds, this special ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 8. This special ordinance shall be in full force and effect upon adoption and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14.

PROPOSAL NO. 592, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on October 17, 1994." The Council did not schedule Proposal No. 592, 1994 for hearing pursuant to IC 36-7-4-608. Proposal No. 592, 1994 was retitled REZONING ORDINANCE NO. 130, 1994 and is identified as follows:

REZONING ORDINANCE NO. 130, 1994. 94-Z-105 WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 18.

707 BEACHWAY DRIVE (approximate address), INDIANAPOLIS.

LANDCO, INC., by Ray Good, requests the rezoning of 3.101 acres, being in the C-5 District, to the C-S classification to provide for a self-storage facility, with an office and resident manager on site.

PROPOSAL NOS. 593-600, 1994. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on October 17, 1994." The Council did not schedule Proposal Nos. 593-600, 1994 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 593-600, 1994 were retitled REZONING ORDINANCE NOS. 131-138, 1994 and are identified as follows:

REZONING ORDINANCE NO. 131, 1994. 94-Z-136 WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 18.

8625, 8647 WEST 21ST STREET (approximate address), INDIANAPOLIS.

DONALD C. SKILES, by Stephen D. Mears, requests the rezoning of 7 acres, being in the D-3 and D-A Districts, to the D-11 classification to provide for expansion of a mobile home park.

REZONING ORDINANCE NO. 132, 1994. 94-Z-132 (94-DP-5) WARREN TOWNSHIP.  
COUNCILMANIC DISTRICT # 13.

1650 and 1651 GERMAN CHURCH ROAD (approximate address), INDIANAPOLIS.

JUSTUS HOMES, INC., by Thomas Michael Quinn, requests the rezoning of 149.73 acres, being in the D-A District, to the D-P classification to provide for a single-family residential development consisting of 137 lots, two-family residential development consisting of 38 structures and one single-family residence, and a two-family residential development consisting of 52 structures.



REZONING ORDINANCE NO. 133, 1994. 94-Z-142 (Amended) WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 18.

2253 RACEWAY ROAD (approximate address), INDIANAPOLIS.

REPUBLIC DEVELOPMENT CORPORATION, by James R. Nickels, requests the rezoning of 27.72 acres, being in the D-A District, to the D-4 classification to provide for residential subdivision development.

REZONING ORDINANCE NO. 134, 1994. 94-Z-124 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 22.

1582-1590 CENTRAL AVENUE (approximate address), INDIANAPOLIS.

ARCHITECTURAL SERVICES, INC. requests the rezoning of 1.2 acres, being in the C-4 District, to the D-8 classification to provide for multi-family residential development.

REZONING ORDINANCE NO. 135, 1994. 94-Z-152 LAWRENCE TOWNSHIP.  
COUNCILMANIC DISTRICT # 14.

8808 EAST 42ND STREET (approximate address), LAWRENCE.

VININGS COURT LIMITED PARTNERSHIP, by James B. Burroughs, requests the rezoning of 19.7 acres, being in the D-3 District, to the D-8 classification to conform the existing multi-family development with the appropriate zoning classification.

REZONING ORDINANCE NO. 136, 1994. 94-Z-153 WARREN TOWNSHIP.  
COUNCILMANIC DISTRICT # 13.

9339, 9355, 9375 AND 9385 RAWLES AVENUE (approximate address), INDIANAPOLIS.

CHRISTOPHER and SEBRINA LOVE, JEFF and DARLENE COOPER, DENNY and SUNDAY CRISWELL, KENNETH MERRY request the rezoning of 19.496 acres, being in the D-A District, to the D-1 classification to provide for single-family residential development.

REZONING ORDINANCE NO. 137, 1994. 94-Z-155 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 6.

3433 NORTH ILLINOIS STREET (approximate address), INDIANAPOLIS.

MARTIN LUTHER KING COMMUNITY DEVELOPMENT CORPORATION, by James B. Burroughs, requests the rezoning of 0.12 acre, being in the C-4 District, to the D-8 classification to provide for residential development.

REZONING ORDINANCE NO. 138, 1994. 94-Z-157 WASHINGTON TOWNSHIP.  
COUNCILMANIC DISTRICT # 6.

4217 NORTH CENTRAL AVENUE (approximate address), INDIANAPOLIS.

SAINT JOAN OF ARC CATHOLIC CHURCH, by Cameron F. Clark, requests the rezoning of 1.5 acres, being in the D-4 District, to the SU-1 classification to conform zoning with an existing church use.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 26, 1994. The proposal, sponsored by Councillor Franklin, appropriates \$8,413 for the Superior Court, Criminal Division, Room Five, to fund an additional clerk's position. Councillor Dowden stated that he would yield to Councillor Franklin as to the action to be taken on this proposal. Councillor Franklin stated he would like to keep this proposal on the agenda. Councillor Dowden asked Robert Elrod, General Counsel, about the possibility of returning this proposal to "pending" and hearing it in November or December. Mr. Elrod stated that due to legal advertising requirements there may not be enough time before the end of the year to readvertise and hear this proposal if it is returned to "pending." Mr. Elrod suggested postponing the proposal until the second meeting in November. Councillor Dowden asked for consent to postpone this proposal until November 14, 1994. Councillor Franklin agreed. Consent was given.

PROPOSAL NO. 518, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 518, 1994 on September 21, 1994. The proposal, sponsored by Councillor Franklin, is an appropriation to pay for the Visiting Nurse Service as part of its Family Connection Center Program for the Domestic Relations section

October 17, 1994

of the Court Administrator Agency from the State and Federal Grants Fund in the amount of \$25,600 financed by revenues from a state grant. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 7:37 p.m. Councillor Smith asked for consent to abstain to avoid the appearance of a conflict of interest. Consent was given. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Franklin, for adoption. Proposal No. 518, 1994 was adopted on the following roll call vote; viz:

23 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gray, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, West, Williams*

0 NAYS:

6 NOT VOTING: *Black, Gilmer, Golc, Hinkle, Jimison, Smith*

Proposal No. 518, 1994 was retitled FISCAL ORDINANCE NO. 91, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 91, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Twenty-Five Thousand Six Hundred Dollars (\$25,600) in the State and Federal Grants Fund for purposes of the Domestic Relations section of the Court Administrator Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Domestic Relations section of the Court Administrator Agency to provide funding for the Visiting Nurse Service for fiscal year 1994-95 which is funded by the State and Federal Grants Fund.

SECTION 2. The sum of Twenty-Five Thousand Six Hundred Dollars (\$25,600) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COURT ADMINISTRATOR AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>\$25,600</u>
TOTAL INCREASE	\$25,600

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>\$25,600</u>
TOTAL REDUCTION	\$25,600

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor, are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.



PROPOSAL NO. 546, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 546, 1994 on October 3, 1994. The proposal approves the issuance of a note by the City for the purpose of making advancements to the City Market Corporation to pay all or a portion of certain utilities expenses for the City Market accrued during the term of the lease. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 7:44 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor Coughenour, for adoption. Councillor Borst asked if this proposal pays expenses for 1994. Councillor Rhodes stated that this proposal will pay for delinquent expenses from 1993, current expenses for 1994, and expenses for 1995. Councillor Borst asked when repayment of this loan will begin. Councillor Rhodes stated that beginning in 1996 the City Market will repay the City and the City will repay the Bond Bank.

Proposal No. 546, 1994 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Coughenour, Dowden, Franklin, Giffin, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
1 NAY: *Curry*  
2 NOT VOTING: *Brents, Gole*

Proposal No. 546, 1994 was retitled SPECIAL RESOLUTION NO. 71, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 71, 1994

A SPECIAL RESOLUTION approving the issuance of a note by the City of Indianapolis for the purpose of making advancements to The Indianapolis City Market Corporation pursuant to an amendment to lease agreement between the City of Indianapolis and the Indianapolis City Market Corporation for the purpose of allowing the City of Indianapolis, at its election, to pay all or a portion of certain utilities expenses for the City Market accrued during the term of the lease.

WHEREAS, the City of Indianapolis, by and through its Department of Administration has entered into a lease dated March 1, 1989 with The Indianapolis City Market Corporation, an Indiana not-for-profit corporation ("Lease"); and

WHEREAS, The Indianapolis City Market Corporation and, pursuant to City-County Special Resolution No. 6, 1994, the City of Indianapolis, have previously approved and entered into an amendment to the Lease to allow the City of Indianapolis, at its election, to pay all or a portion of the costs for electric, water, sewer, chilled water, steam and telephone utilities (the "Utility Costs") for the City Market accrued during the term of the Lease and prior to January 1, 1996; and

WHEREAS, the City of Indianapolis now desires to issue a note (the "Note") to The Indianapolis Local Public Improvement Bond Bank (the "Bond Bank") pursuant to which the City will have access to a source of funds to provide for the Utility Costs; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. That the Note, in the form attached hereto as Exhibit A and with such changes as are approved by the Mayor and the Controller, is hereby approved, and the Mayor and the Controller are hereby authorized to execute and attest, respectively, the Note.

October 17, 1994

SECTION 2. The Mayor, Controller and any other officers of the City are hereby authorized and directed to take any action they deem necessary or appropriate to effectuate the issuance of the Note, including, but not limited to, execution of any and all necessary appropriate documents.

SECTION 3. The proceeds derived from the issuance of the Note, together with any and all investment earnings thereon, shall be, and they hereby are, appropriated and, at the discretion of the Controller of the City, may be expended for the purpose of paying the Utility Costs. Such appropriation shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until January 1, 1996. Any surplus of such proceeds shall be used to prepay the Note. The Clerk is hereby authorized and directed to certify a copy of this Special Resolution, together with such other proceedings and actions as may be necessary to the Controller for purposes of reporting to the State Board of Tax Commissioners in compliance with IC 6-1.1-18-5.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

EXHIBIT A

CITY OF INDIANAPOLIS LIMITED RECOURSE NOTE

Registered Owner:    The Indianapolis Local                      Maturity Date:    October 1, 1996, subject  
                                 Public Improvement Bond Bank    to extension to October 1, 1999

Principal Sum: \$450,000

FOR VALUE RECEIVED, the City of Indianapolis (the "Issuer"), a consolidated city of the first class with home rule powers located in Marion County, Indiana, hereby promises to pay, solely from the source and as hereunder provided, to The Indianapolis Local Public Improvement Bond Bank, as Registered Owner (the "Registered Owner") or its duly registered assignee, upon presentation of this Note (the "Note") on the Maturity Date, unless earlier prepaid, the Principal Sum of Four Hundred Fifty Thousand Dollars (\$450,000) or so much thereof as has been advanced from time to time from the dated date hereof through January 1, 1996 as evidenced by the Record of Advances attached hereto, and to pay interest at the rate of four percent (4%) on any advance from the date of delivery of such advance. All payments of principal and interest on this Note shall be made to the Registered Owner in such coin or currency of the United States of America as at the time of payment is legal tender for the payment of public and private debts by check, draft or wire transfer.

Interest shall be calculated on the basis of a thirty (30) day month and a year consisting of 360 days on such advances and shall be payable on October 1 and April 1 each year commencing April 1, 1995.

This Note has been issued to provide funds to the Issuer for the purpose of making further advancements to or for the benefit of The Indianapolis City Market Corporation ("ICMC") pursuant to the Lease Agreement between the Issuer and ICMC dated March 1, 1989, as amended by an Amendment to Lease Agreement dated January 26, 1994, which advancements and repayments of advancements to or for the benefit of ICMC are evidenced by a Promissory Note dated February 22, 1994 and executed by ICMC in favor of the Issuer (the "ICMC Note"). This Note is issued pursuant to and in full compliance with the constitution and laws of the State of Indiana, including particularly IC 5-1.4-8-6.

THE PRINCIPAL OF AND INTEREST ON THE NOTE CONSTITUTE A LIMITED OBLIGATION OF THE ISSUER, PAYABLE SOLELY FROM REPAYMENTS BY ICMC ON THE ICMC NOTE AND SECURED SOLELY BY THE ICMC NOTE. THE ISSUER HAS NOT PLEDGED ITS FULL FAITH AND CREDIT OR TAXING POWER TO THE PAYMENT OF THE NOTE AND THE NOTE SHALL NOT CONSTITUTE A GENERAL OBLIGATION OR INDEBTEDNESS OF THE ISSUER WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY PROVISION.

The Issuer may, at its option and without premium or penalty, but with accrued interest, prepay this Note on any date, in whole or in part, upon five (5) days prior notice to the Registered Owner or its assignees.

It is hereby certified, recited and declared that all acts, conditions and things required by the constitution or statutes of the State of Indiana to exist, to have happened or to have been performed precedent to or in the execution, issuance, sale and delivery of this Note exist, have happened and have been performed, and that the issuance of this Note, together with all other indebtedness of the Issuer, is within every debt and other limit prescribed by said constitution or statutes.



No recourse shall be had for the payment of the principal of or interest on this Note against any official, officers or employees of the Issuer past, present or future, under any constitutional provision, statute, rule of law, or by the enforcement of any assessment or by any legal or equitable proceedings or otherwise.

IN WITNESS WHEREOF, the City of Indianapolis, Indiana has caused this Note to be executed by the signature of its Mayor and attested to by the signature of its Controller, its corporate seal to be affixed, imprinted or reproduced hereon, and this Note to be dated and delivered this \_\_\_\_ day of October, 1994.

CITY OF INDIANAPOLIS

(SEAL)

By: \_\_\_\_\_  
Stephen Goldsmith, Mayor

ATTEST:

\_\_\_\_\_  
James H. Steele, Jr., Controller

The Indianapolis Local Public Improvement Bond Bank, as Registered Owner of the above Note, and the City of Indianapolis, Indiana, as Issuer of the Note, hereby agree and consent to an extension of the Maturity Date of the Note from October 1, 1996 to October 1, 1999, this \_\_\_\_ day of October, 1994.

CITY OF INDIANAPOLIS

[SEAL]

By: \_\_\_\_\_  
Stephen Goldsmith, Mayor

ATTEST:

\_\_\_\_\_  
James H. Steele, Jr., Controller

THE INDIANAPOLIS LOCAL PUBLIC  
IMPROVEMENT BOND BANK

[SEAL]

By: \_\_\_\_\_  
Glenn Scolnik, Chairman

ATTEST:

\_\_\_\_\_  
James C. Snyder, Executive Director

Record of Advances

<u>Date</u>	<u>Amount Advanced</u>	<u>Principal Amount Repaid</u>	<u>Balance Outstanding</u>
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**SPECIAL ORDERS - UNFINISHED BUSINESS**

PROPOSAL NO. 245, 1994. The proposal appropriates \$58,971 for Community Corrections to provide additional security to supervise an increased number of inmates being housed in the Community Corrections Center. Councillor Dowden stated that the Public Safety and Criminal Justice Committee heard Proposal No. 245, 1994 on October 12, 1994. By a 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Dowden moved, seconded by Councillor West, to strike. Proposal No. 245, 1994 was stricken by a unanimous voice vote.

## SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NOS. 455 and 515, 1994. Councillor West asked for consent to vote on these two proposals together. Consent was given. PROPOSAL NO. 455, 1994. The proposal amends the Comprehensive Zoning Maps of Marion County by updating base maps #6 and #18. PROPOSAL NO. 515, 1994. The proposal amends the Comprehensive Zoning Maps of Marion County by updating base maps #16, #17 and #40. Councillor West stated that the Metropolitan Development Committee heard Proposal Nos. 455 and 515, 1994 on September 29, 1994. By 4-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor West moved, seconded by Councillor Smith, for adoption. Proposal Nos. 455 and 515, 1994 were adopted on the following roll call vote; viz:

29 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
0 NAYS:

Proposal No. 455, 1994 was retitled GENERAL ORDINANCE NO. 134, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 134, 1994  
METROPOLITAN DEVELOPMENT COMMISSION  
DOCKET NO. 94-AO-8

A GENERAL ORDINANCE to amend the Code of Indianapolis and Marion County, Appendix D, as amended, the Zoning Ordinance for Marion County, Indiana which Ordinance includes the Comprehensive Zoning Maps of Marion County, INDIANA, as amended, and fixing a time when the same shall take effect.

WHEREAS, IC 36-7-4, establishes the Metropolitan Development Commission (MDC) of Marion County, Indiana as the single planning and zoning authority for Marion County, Indiana, and empowers the MDC to approve and recommend to the City-County Council of the City of Indianapolis and of Marion County, Indiana Ordinances for the zoning or districting of all lands within the County for the purposes of securing adequate light, air, convenience of access, and safety from fire, flood and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, morals, convenience, and general public welfare; securing the conservation of property values; and securing responsible development and growth; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Comprehensive Zoning Maps of Marion County, Indiana, adopted under Metropolitan Development Commission Docket Number 70-AO-4, as amended, pursuant to IC 36-7-4, be further amended to update specifically base maps #6 and #18 of said maps to include subsequent rezonings (which Comprehensive Zoning Maps, as amended, are attached hereto, incorporated herein by reference and made a part of this Ordinance); and all land within the area noted on the four sections of base map #6 and the four sections of base map #18 are hereby classified, divided and zoned in accordance with the zoning district classifications as designated upon said Comprehensive Zoning Maps, as amended, thereby updating said Comprehensive Zoning Maps to include various rezonings by individual legal description or map amendments adopted subsequent to Metropolitan Development Commission docket number 87-AO-2.

SECTION 2. The adoption of the Comprehensive Zoning Maps, as amended, shall not supercede, amend or repeal any individually initiated rezoning ordinances approved by the City-County Council subsequent to March 11, 1994, and thereafter legally effective (which rezoning by individual legal description have not been mapped and included upon the Comprehensive Zoning Maps, as amended, but shall be so included upon said MAPS in a subsequent map updating amendment hereto).

SECTION 3. The adoption of the Comprehensive Zoning Maps, as amended, shall not supersede, amend or repeal Airport Zoning Ordinance (94-AO-2, which includes the language of the former Airspace District Zoning



Ordinance [62-AO-2] as amended) and the AIRSPACE DISTRICT MAP adopted as a part thereof, establishing the AIRSPACE DISTRICT as a secondary zoning district of Marion County, Indiana.

SECTION 4. The adoption of the Comprehensive Zoning Maps, as amended, shall not supersede, amend or repeal the Floodway and Floodway District Fringe zoning district boundaries, as adopted under Metropolitan Development Commission docket number 92-AO-7.

SECTION 5. If any provision of this Ordinance shall be held invalid, its invalidity shall not affect any other provisions of this Ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

Proposal No. 515, 1994 was retitled GENERAL ORDINANCE NO. 135, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 135, 1994  
METROPOLITAN DEVELOPMENT COMMISSION  
DOCKET NO. 94-AO-9

A GENERAL ORDINANCE to amend the Code of Indianapolis and Marion County, Appendix D, as amended, the Zoning Ordinance for Marion County, Indiana which Ordinance includes the Comprehensive Zoning Maps of Marion County, Indiana, as amended, and fixing a time when the same shall take effect.

WHEREAS, IC 36-7-4, establishes the Metropolitan Development Commission (MDC) of Marion County, Indiana as the single planning and zoning authority for Marion County, Indiana, and empowers the MDC to approve and recommend to the City-County Council of the City of Indianapolis and of Marion County, Indiana Ordinances for the zoning or districting of all lands within the County for the purposes of securing adequate light, air, convenience of access, and safety from fire, flood and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, morals, convenience, and general public welfare; securing the conservation of property values; and securing responsible development and growth; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Comprehensive Zoning Maps of Marion County, Indiana, adopted under Metropolitan Development Commission Docket Number 70-AO-4, as amended, pursuant to IC 36-7-4, be further amended to update specifically base maps #16, #17 and #40 of said maps to include subsequent rezonings (which Comprehensive Zoning Maps, as amended, are attached hereto, incorporated herein by reference and made a part of this Ordinance); and all land within the area noted on the four sections of base map #16, the four sections of base map #17, and the four sections of base map #40 are hereby classified, divided and zoned in accordance with the zoning district classifications as designated upon said Comprehensive Zoning Maps, as amended, thereby updating said Comprehensive Zoning Maps to include various rezonings by individual legal description or map amendments adopted subsequent to Metropolitan Development Commission docket number 87-AO-2.

SECTION 2. The adoption of the Comprehensive Zoning Maps, as amended, shall not supercede, amend or repeal any individually initiated rezoning ordinances approved by the City-County Council subsequent to May 23, 1994, and thereafter legally effective (which rezoning by individual legal description have not been mapped and included upon the Comprehensive Zoning Maps, as amended, but shall be so included upon said MAPS in a subsequent map updating amendment hereto).

SECTION 3. The adoption of the Comprehensive Zoning Maps, as amended, shall not supersede, amend or repeal Airport Zoning Ordinance (94-AO-2, which includes the language of the former Airspace District Zoning Ordinance [62-AO-2] as amended) and the Airspace District Map adopted as a part thereof, establishing the Airspace District as a secondary zoning district of Marion County, Indiana.

SECTION 4. The adoption of the Comprehensive Zoning Maps, as amended, shall not supersede, amend or repeal the Floodway and Floodway District Fringe zoning district boundaries, as adopted under Metropolitan Development Commission docket number 92-AO-7.

SECTION 5. If any provision of this Ordinance shall be held invalid, its invalidity shall not affect any other provisions of this Ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

PROPOSAL NO. 485, 1994. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 485, 1994 on October 13, 1994. The proposal amends the Code to permit Indianapolis to operate an air program in compliance with Title V of the Clean Air Act. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor Moriarty Adams, for adoption.

Councillor West asked if beginning next year the Air Pollution Control Division will be funded on a fee basis instead of being subsidized by taxpayers. Michael B. Stayton, Director, Department of Public Works, stated that with the exception of a stationary source, the Air Pollution Control Division was completely funded by fees in 1994 and was again budgeted in 1995 to be completely funded by fees. Councillor West asked if the stationary sources will be funded in 1995. Mr. Stayton answered in the negative. Councillor West asked if the enforcement of burning leaves will still be paid by taxpayers. Mr. Stayton answered in the negative and stated that the areas not covered by this proposal are open burning and regulation of used car lots. Councillor Smith asked if this proposal will assist with refined metals. Richard L. Martin, Jr., Assistant Administrator, Department of Public Works, stated that refined metals will be a Title V source.

Proposal No. 485, 1994 was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Black, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, Rhodes, Ruhmkorff, Shambaugh, Short, Smith, West, Williams*  
3 NAYS: *Borst, O'Dell, Schneider*  
1 NOT VOTING: *SerVaas*

Proposal No. 485, 1994 was retitled GENERAL ORDINANCE NO. 136, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 136, 1994

A GENERAL ORDINANCE amending Chapter 4 of the Code dealing with air pollution control to clarify authority to implement a federal Environmental Protection Agency approvable operating permit program as mandated by Title V of the Clean Air Act of 1990 and to establish permit fees in connection with the program.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sec. 4-11 of the Code of Indianapolis and Marion County, Indiana, is hereby amended by inserting the language underlined and deleting the language stricken-through as follows:

Sec. 4-11. Definitions.

As used in this chapter and its regulations, the following terms shall have the meanings ascribed to them:

*Actual emissions* means the emissions which occurred over a specified period of time based upon emission monitoring, stack testing, emission factors, or other measures acceptable to the administrator.

*Administrator* means the assistant administrator of the air pollution control section of the environmental resources management division of the department of public works, Consolidated City of Indianapolis and Marion County or other designee of the director of the department of public works.

*Air contaminant* means any solid, liquid or gaseous matter, or any combination thereof, that may be emitted into the ambient air in any manner which may cause or contribute to air pollution. Air contaminant shall include "regulated air pollutant" as defined in 40 C.F.R. §70.2.



Air contaminant emitter or air contaminant source means any vehicle, process, facility or any other device that emits or is capable of emitting an air contaminant, whether privately or publicly owned or operated. Without limiting the generality of the foregoing, this term includes all types of business, commercial and industrial plants, works, shops and stores, heating and powerplants and power stations, and buildings and other structures of all types, including single and multiple family residences, apartments, houses, office buildings, public buildings, hotels, restaurants, schools, hospitals, churches, other institutional buildings, automobiles, trucks, tractors, buses, other motor vehicles, garages, vending and service locations and stations, railroad locomotives, ships, boats and other waterborne craft, portable fuel-burning equipment, incinerators of all types, indoor and outdoor, refuse dumps and piles, and all stack and other chimney outlets from any of the foregoing.

Air pollution means the presence or threatened discharge, from whatever source, of solid, semisolid, liquid or gaseous matter, or any combination thereof, in the ambient air in sufficient quantities and of such characteristics and duration which:

- (1) Injures or threatens to injure human, plant or animal life; or
- (2) Damages or threatens to damage property; or
- (3) Unreasonably interferes with the comfortable enjoyment of life and property.

Allowable emissions means the emissions rate as established in the applicable air pollution control permit issued by the division. ~~calculated using the following factors:~~

- ~~(1) The maximum rated capacity;~~
- ~~(2) Year round operation (8,760 hours per year); and~~
- ~~(3) The most stringent emission limit applicable under federal, state or local air pollution control laws.~~

~~Allowable emissions may be limited further if the facility or source is subject to enforceable permit conditions that limit the operating rate, hours of operation or emission rate.~~

Ambient air means any outside air.

Asbestos abatement permit means the written authorization that allows a person to remove asbestos materials and conduct asbestos abatement projects.

Board means the Indianapolis Air Pollution Control Board.

Clean Air Act of 1990 means the Federal Clean Air Act (42 U.S.C. 7401 et seq.) as amended by the Clean Air Act Amendments of 1990 (P.L. 101-549).

Construction permit means the written authorization that allows a person to construct, reconstruct or modify an air contaminant emitter.

Division means the air pollution control section of the environmental resources management division of the department of public works, Consolidated City of Indianapolis and Marion County.

Effective date means the date on which an action takes effect. For permits issued pursuant to Article V of this chapter, the effective date is fifteen (15) days after the administrator signs and issues the permit. For all other actions, the effective date is when the person subject to the action receives written notice of the action.

Emission credit permit means the written authorization that allows a person to claim credit for emissions not released to the ambient air.

Facility means any one (1) structure, piece of equipment, installation operation that emits or is capable of emitting an air contaminant. Single pieces of equipment or installations with multiple emission points shall be considered a facility for purposes of this chapter and its regulations.

Open burning or open fire means any burning of combustible matter where the products of combustion are emitted directly into the ambient air without passing through a stack or chimney.

October 17, 1994

*Operating permit* means the written authorization that allows a person to operate an air contaminant emitter.

*Person* means any individual, proprietorship, partnership, firm, company, corporation, association, joint venture, trustee, estate, political or governmental unit or any other legal entity.

~~Potential emissions means the emission rate calculated using the following factors:~~

- ~~(1) The maximum rated capacity;~~
- ~~(2) The actual hours of operation; and~~
- ~~(3) Operation without air pollution control equipment, unless such control equipment is (aside from air pollution control requirements) necessary for the facility to produce its normal product or is integral to normal operation.~~

Potential emissions means emissions of any one pollutant which would be emitted from a facility if that facility were operated without the use of pollutant control equipment unless such control equipment is (aside from air pollution control requirements) necessary for the facility to produce its normal product or is integral to the normal operation of the facility. Potential emissions shall be based on maximum rated capacity unless hours of operation are limited by enforceable permit conditions and shall be calculated according to Federal emission guidelines in AP 42 -Compilation of Air Pollutant Emission Factors, or calculated based on stack test data or other data acceptable to the board.

*Process* means any action, operation or treatment that emits or is capable of emitting an air contaminant.

*Regulation* means the whole or any part of a board statement of general applicability that:

- (1) Has or is designed to have the effect of law; and
- (2) Implements, interprets or prescribes:
  - a. Law or policy; or
  - b. The organization, procedure or practice requirements of the board or division.

*Source* means one (1) or an aggregation of processes or facilities that are located on one (1) or more contiguous or adjacent properties and are owned or operated by the same person, or by persons under common control.

*Title V operating permit* means the operating permit required by Title V of the Clean Air Act of 1990.

*Wood products* means dry materials consisting of vegetation or wood which does not contain any other substance.

*40 C.F.R. §70* shall mean 40 C.F.R. §70 as published in 57 Fed. Reg. 32,295 (July 21, 1992).

40 C.F.R. 72 shall mean 40 C.F.R. 72 as published in 58 Fed. Reg. 3650 (January 11, 1993) and 58 Fed. Reg. 15,634 (March 23, 1993).

SECTION 2. Sec. 4-21 of the Code of Indianapolis and Marion County, Indiana is hereby amended by inserting the language underlined and deleting the language stricken-through as follows:

Sec. 4-21. Composition of board.

(a) The membership of the air pollution control board shall consist of the following persons appointed as provided:

- (1) A professional engineer, registered in the State of Indiana, knowledgeable and experienced in air pollution control, appointed by the mayor.
- (2) A physician, licensed in the State of Indiana, knowledgeable and experienced in toxicology or respiratory disease, appointed by the city-county council.



- (3) An attorney, admitted to the Indiana bar, appointed by the mayor.
- (4) A member knowledgeable and experience in solid waste disposal, appointed by the city-county council.
- (5) A member knowledgeable and experience in fuel technology and combustion, appointed by the mayor.
- (6) A member knowledgeable and experienced in process manufacturing appointed by the city-county council.
- (7) A member representing industry, appointed by the mayor.
- (8) A member representing labor, appointed by the city-county council.
- (9) A member representing the public at large, appointed by the mayor.

(b) As mandated by the Clean Air Act of 1990, members representing at least a majority of the board shall represent the public interest and shall not derive any significant portion of their income from persons subject to permits or enforcement orders under the Clean Air Act of 1990.

(c) As mandated by the Clean Air Act of 1990, all members shall disclose any potential conflicts of interest relating to permits or enforcement orders under the Clean Air Act of 1990.

SECTION 3. Sec. 4-50 of the Code of Indianapolis and Marion County, Indiana is hereby amended by inserting the language underlined and deleting the language stricken-through as follows:

Sec. 4-50. Permit system.

(a) The board shall adopt regulations that create a permit system, and the division shall implement the permit system. The permit system shall contain two components:

- (1) The permit system mandated by Title V of the Clean Air Act of 1990, which shall include, permits required by Title IV of the Clean Air Act of 1990 (acid rain); and
- (2) Other permits as required by federal or state law or deemed by the board to be necessary to carry out the purposes of this chapter.

Regulations adopted by the board shall be revised in a timely manner to incorporate new requirements set forth in applicable state or federal air pollution control laws or regulations.

(b) That portion of the permit system mandated by Title V of the Clean Air Act of 1990, which shall include permits required by Title IV of the Clean Air Act of 1990 (acid rain) shall comply in all respects with that act and applicable federal regulations. In the event of a conflict between the federal regulations promulgated pursuant to Title V and those promulgated pursuant to Title IV, those federal regulations promulgated pursuant to Title IV shall govern.

(c) The permit system shall include adequate, streamlined and reasonable procedures for expeditiously administering the system.

(d) At a minimum, the permit regulations shall perform the following functions:

- (1) Require permits in order to construct new facilities or sources;
- (2) Require permits in order to modify or reconstruct existing facilities or sources;
- (3) Require permits in order to operate facilities or sources;
- (4) Require permits for processes and other air contaminant emitters, including, but not limited to, air curtain incinerators, asbestos abatement projects and sandblasting;
- (5) Require permits for claiming emission credits or allowances and establish procedures and requirements for obtaining and using emission credits or allowances, provided that such system shall

not interfere with the federal sulfur dioxide allowance system established pursuant to Title IV of the Clean Air Act of 1990 (acid rain);

- (6) Establish minimum levels of emissions from a facility, source, process or other air contaminant emitter for which a permit and/or reporting is required;
- (7) Establish fixed terms for permits which terms shall be as follows:
  - a. Five (5) years for permits required by Title IV of the Clean Air Act of 1990 (acid rain); and
  - b. Not to exceed five (5) years for all other permits.
- (8) Establish the information necessary for complete permit applications and the procedures and time frames by which the applications' completeness shall be determined;
- (9) Establish procedures and time frames for division review of permit applications, including initial permit issuance, modifications or revisions and renewals;
- (10) Establish procedures and time frames for notice, public comment periods and public hearings, which procedures may include providing an opportunity to comment on the draft permit before it is issued. For permits required by Title V of the Clean Air Act of 1990, such procedures shall, as provided in 40 C.F.R. §70.7(h), require adequate procedures for public comment and a hearing on the draft permit, for initial permit issuance, significant modifications and renewals;
- (11) Require, when appropriate, reasonable tests and monitoring, including continuous emissions monitoring, and creation, submission to the division and retention of reports and records of tests, monitoring, production, maintenance or other matters relating to the quantity of emissions, the effectiveness of air pollution control equipment or compliance with this chapter and its regulations;
- (12) Provide, for permits required by Title V of the Clean Air Act of 1990, if the applicant has submitted a timely and complete application for an initial or renewal permit, but no final action has been taken on the application, the applicant's failure to have a permit is not a violation of this chapter or its regulations until after the division takes final action on the permit application.
- (13) Require, when necessary, that application forms, reports and compliance certifications shall contain certification by a responsible official of truth, accuracy and completeness.
- (14) For permits required by Title V of the Clean Air Act of 1990, allow issuance of a permit for a facility or source not in compliance with applicable requirements.
- (15) Require, when appropriate, submittal of a certified plan and schedule to attain and maintain compliance.
- (16) Require that no permit shall automatically issue, be renewed or modified because of failure of the division to take action on the application, or for any other reason.
- (17) Require that the division shall not issue a permit required by Title V of the Clean Air Act of 1990 if the Administrator of the United States Environmental Protection Agency makes a written objection within the time allowed under applicable federal law.
- (18) For permits required by Title V of the Clean Air Act of 1990, establish, consistent with the timing and other requirements of 40 C.F.R. §70.4(b)3 and 72.72(b)(5)(ii), an opportunity for judicial review of final action on a permit, by the applicant, any person who participated in the public participation process and any other affected person entitled to judicial review of such action under state law. The opportunity for judicial review so provided shall be the exclusive means for obtaining judicial review of the terms and conditions of such permits. Procedures regarding such opportunity for judicial review may be established by this chapter or by regulation of the board.
- (19) For permits required by Title V of the Clean Air Act of 1990, and solely for purposes of obtaining judicial review to require that action be taken by the division on the application without additional delay, provide that failure of the division to act on an initial or renewal application, or modification or revision, within the time periods specified in the Clean Air Act of 1990 is a final action of the administrator appealable directly to a court of competent jurisdiction.



- (20) Establish transfer procedures and renewal procedures and, for permits required by Title V of the Clean Air Act of 1990, provide that permits being renewed are subject to the same procedural requirements that apply to initial permit issuance;
- (21) Require that permits may be terminated, modified, or revoked and reissued for cause and establish causes for such actions.
- (22) Provide, for permits required by Title V of the Clean Air Act of 1990, if the permit holder has submitted a timely and complete application for renewal, but no final action has been taken on the application, all the terms and conditions of the permit, including any application shield granted by 4-50(d)(12), shall remain in effect until the renewal permit has been issued or denied.
- (23) Require that permits required by Title V of the Clean Air Act of 1990 shall be reopened and revised before expiration of the permit when the following conditions exist:
  - a. Additional federal requirements become applicable to a facility or source with a permit which allows at least three (3) more years of continued operation. However, a permit does not have to be revised if the additional requirements will not become effective until after the date the permit expires. A permit revision to address additional requirements must be completed by the division not more than eighteen (18) months after the adoption of the additional requirements; or
  - b. Additional requirements become applicable to the permit under the acid rain program. Upon approval by the United States Environmental Protection Agency, an excess emissions offset plan shall be considered to be incorporated into the permit; or
  - c. The division or the United States Environmental Protection Agency determines that:
    - 1. the permit contains a material mistake; or
    - 2. inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit; or
  - d. The division or the administrator of the United States Environmental Protection Agency determines that the permit must be revised or revoked to assure compliance with the applicable federal requirements as defined in 40 C.F.R. §70.2.
- (24) Require that all permits shall contain a severability clause to ensure the continued validity of the various permit requirements in the event of a challenge to any portion of the permit.
- (25) Establish procedures for determining if information (other than the contents of a permit required by Title V of the Clean Air Act of 1990 or emissions data) maintained by the division, if made public, would divulge methods or processes entitled to protection as trade secrets and assuring security of information so determined to be entitled to confidentiality.
- (26) For permits required by Title V of the Clean Air Act of 1990, establish procedures allowing changes to be made without requiring a permit revision if the permit holder has been issued an operating permit or is operating without a permit but has made a timely and complete application for a permit and if:
  - a. the changes are not modifications under any provision of Title I of the Clean Air Act of 1990;
  - b. the changes do not exceed emissions allowable under the permit, whether expressed as a rate of emissions or as total emissions; and
  - c. the permit holder provides the division with written notification at least seven (7) days before the proposed changes are made. However, the board, by regulation, may provide a different time period for notifications that involve emergency situations.
- (27) For permits required by Title V of the Clean Air Act of 1990, establish procedures allowing reasonably anticipated alternate operating scenarios identified in the permit application and approved by the division.
- (28) For permits required by Title IV of the Clean Air Act of 1990 (acid rain):

- a. establish a "permit shield" from enforcement action as provided in 40 C.F.R. 72.51;
  - b. provide that a complete permit application shall be binding and enforceable as a Title IV (acid rain) permit from the date of submission of the application until issuance or denial of the permit; and
  - c. allow exemptions for certain new units and retired units as provided in 40 C.F.R. 72.7 and 72.8.
- (2729) Require that all permits be consistent with all local, state and federal air pollution control laws and regulations;
- (2830) Require that all permits not interfere with attainment of local, state or federal air quality standards.
- (e) The permit regulations may:
- (1) Establish procedures for general permits covering numerous sources as provided in 40 C.F.R. §70.6(d).
  - (2) Establish a limited "permit shield" from enforcement action as provided in 40 C.F.R. §70.6(f).
  - (3) Allow changes not addressed or prohibited by a permit required by Title V of the Clean Air Act of 1990, provided such changes are not subject to any requirements under Title IV or are not modifications under any provision of Title I of that act.
  - (4) Establish procedures for trading emission increases and decreases under certain circumstances as provided in 40 C.F.R. §70.4(b)(12)(ii).
  - (5) Allow issuance of a permit with a future effective date.
  - (56) Perform any other function not specified in this subsection or subsection (d) if such function is reasonably necessary for efficient operation of the permit program or reasonably necessary to protect the public health or welfare or ensure compliance with local, state or federal air pollution control laws and regulations.
  - (7) Establish limited liability for failure to obtain a permit under certain circumstances, provided that, any such regulation shall be consistent with, and no more permissive than, Ind. Code 13-10-4-1.
  - (f) No permit required by the Clean Air Act of 1990 for a solid waste incineration unit, as that term is defined in Section 129 of that Act, may be issued by an agency, instrumentality or person that is also responsible, in whole or in part, for the design and construction or operation of the unit.

SECTION 4. Section 4-50(A) of the Code of Indianapolis and Marion County, Indiana is hereby added by inserting the language underlined as follows:

Sec. 4-50(A). Judicial review of final permit action for permits required by Title V of the Clean Air Act of 1990.

(a) Right to judicial review. Judicial review of a final permit action for permits required by Title V of the Clean Air Act of 1990 may be requested by the permit applicant, any person who participated in the public participation process pursuant to Regulation XVII-1 or any other affected person.

(b) Time for filing petition. Petitions for judicial review must be filed with a court of competent jurisdiction no later than thirty (30) days after a final permit action. Notwithstanding the preceding requirement, petitions for judicial review of a final permit action can be filed more than thirty (30) days after the final permit action if:

- (1) The petition is based on new grounds that arise more than thirty (30) days after the final permit action;
- (2) The petition is filed not more than thirty (30) days after the new grounds arose;
- (3) The new grounds are based on new information that was not available and could not by due diligence have been discovered and produced within thirty (30) days after the final permit action.



If the final permit action being challenged is the administrator's failure to take final action, a petition for judicial review may be filed any time before the administrator denies the permit or issues the final permit.

(c) Final permit action defined. For purposes of this section, "final permit action" shall mean a decision of the board regarding a permit required by Title V of the Clean Air Act of 1990 and made pursuant to an appeal made to the board under section 4-80. Notwithstanding the preceding definition, failure of the administrator to act on an initial or renewal application or modification or revision of a permit required by Title V of the Clean Air Act of 1990 within the time periods specified in Regulation XVII-1 is a final permit action which may be appealed directly to a court of competent jurisdiction, solely for the purpose of obtaining judicial review to require that action be taken on the application without additional delay.

(d) Exclusive means. The opportunity for judicial review described in this section shall be the exclusive means for obtaining judicial review of the terms and conditions of permits required by Title V of the Clean Air Act of 1990.

SECTION 5. Section 4-51 of the Code of Indianapolis and Marion County, Indiana is hereby amended by inserting the language underlined and deleting the language stricken-through as follows:

Sec. 4-51. Permit conditions.

(a) The administrator may establish or modify permit conditions on any permit issued pursuant to this chapter and its regulations. The conditions may be imposed to ensure compliance with this chapter or with any regulation adopted by the board. Conditions may take the form of emission limits or technology requirements, including, but not limited to, maximum achievable control technology emission limits as provided for in the Clean Air Act of 1990 and as determined on a case-by-case basis, testing and monitoring, including continuous emissions monitoring, reporting and recordkeeping requirements, operation and maintenance programs or any other requirement necessary to ensure compliance with air pollution control laws and regulations and to protect the public health or welfare.

(b) The administrator may impose permit conditions more stringent than regulations adopted by the board or when no such regulation applies only if:

- (1) The conditions are necessary to ensure compliance with local, state or federal air pollution control laws and regulations; or
- (2) The permit holder has violated local, state or federal air pollution control laws or regulations and the conditions are consistent with the terms of a compliance program agreement, agreed order, consent decree, court order or some other enforceable mechanism used to resolve the violations; or
- (3) The conditions are reasonably necessary to protect the public health or welfare.

(c) The administrator may modify permit conditions at any time after permit has been issued only if:

- (1) The administrator has consulted with the permit holder of the modification and the reasons for modification in writing;
- (2) The administrator notifies the permit holder of the modification and the reasons for the modification in writing; and
- (3) The administrator complies with all other applicable procedures required by law or regulation.

(d) Permit conditions imposed by the administrator ~~on permits not required by Title V of the Clean Air Act of 1990~~ may be appealed to the Board pursuant to section 4-80 of this chapter.

SECTION 6. Section 4-52 of the Code of Indianapolis and Marion County, Indiana, is hereby amended by inserting the language underlined and deleting the language stricken-through as follows:

Sec. 4-52. Permit fees.

(a) Purpose. This section 4-52 establishes permit fees due to the division ~~in calendar year 1994~~ at levels necessary to continue the process of developing and administering for Marion County the permit program required by Title V of the Clean Air Act of 1990. ~~The fees set by this section are interim level fees which will~~

~~be examined annually as a part of the development of a federally enforceable Title V operating permit program.~~  
This section 4-52 and section 4-54 also establish all other types of permit fees due to the division.

(b) Application fees. The division shall collect an application fee of one hundred dollars (\$100.00) whenever a person submits an application to:

- (1) Obtain a construction permit;
- (2) Obtain an operating permit;
- (3) Obtain an asbestos abatement permit;
- (4) Obtain an emission credit permit;
- (5) Change the name of the permittee on a permit issued by the administrator;
- (6) Transfer a permit to a new owner of the air contaminant emitter subject to a permit;
- (7) The application fee for (1) through (6) above is waived if:
  - a. A permittee has already obtained a construction permit, and is submitting an application for an initial operating permit;
  - b. A permittee is renewing an operating permit;
  - c. A permittee is renewing an asbestos abatement permit;
  - d. A permittee is renewing an emission credit permit.
  - e. A permittee has already obtained an operating permit and is submitting an application for an initial Title V operating permit.
- (8) If a permittee is applying simultaneously for permits for several facilities at the same source, the permittee shall pay a single application fee.

(c) Construction permits. The division shall collect a fee for reviewing plans and issuing a construction permit.

- (1) Base fees.
  - a. The fee for each facility with potential emissions of any one (1) pollutant less than ten (10) tons per year shall be eight hundred dollars (\$800.00).
  - b. The fee for each facility with potential emissions of any one (1) pollutant of ten (10) tons per year or greater but less than twenty (20) tons per year shall be twelve hundred dollars (\$1200.00).
  - c. The fee for each facility with potential emissions for any one (1) pollutant of twenty (20) tons per year or greater, but less than twenty-five (25) tons per year shall be one thousand eight hundred dollars (\$1,800.00).
  - d. The fee for each facility with potential emissions of any one (1) pollutant of twenty-five (25) tons per year or greater, but less than one hundred (100) tons per year shall be four thousand five hundred dollars (\$4,500.00).
  - e. The fee for each facility with potential emissions of any one (1) pollutant of one hundred (100) tons per year or greater shall be six thousand five hundred dollars (\$6,500.00).
  - f. Facilities which elect to be subject to board Regulation IX-2 (Enhanced New Source Review) shall not be subject to the fees in subsections a. through e., but instead shall pay a fee of three thousand five hundred dollars (\$3,500.00).



- (2) In addition to fees collected under paragraph (1) above, the division shall collect all applicable fees specified in a. through g. below.

- a. The fee for each review involving a facility or facilities subject to federal, state, or local new source performance standards shall be five hundred dollars (\$500.00) per standard.
- b. The fee for each review involving a facility or facilities subject to federal, state, and local national emission standards for hazardous air pollutants shall be five hundred dollars (\$500.00) per pollutant.
- c. The fee for each public notice required as a part of a construction permit review shall be three hundred dollars (\$300.00).
- d. The fee for each facility subject to best available control technology (BACT), maximum achievable control technology (MACT) or lowest achievable emission rate (LAER) shall be three thousand dollars (\$3,000.00) per pollutant for each applicable pollutant.
- e. The fee for each facility subject to generally achievable control technology (GACT) shall be one thousand dollars (\$1,000.00) per pollutant for each applicable pollutant.
- f. The fee for each facility subject to modeling analysis shall be four thousand dollars (\$4,000.00) per pollutant for each applicable pollutant, except where such analysis is performed by the division, in which case the fee shall be six thousand dollars (\$6,000.00) per pollutant for each applicable pollutant.
- g. The fee for each facility which has federally enforceable permit restrictions to allow the facility to be exempt from federal Prevention of Significant Deterioration or Nonattainment New Source Review requirements shall be one thousand dollars (\$1,000.00) per permit.

(d) Operating permits. This part (d) shall not apply to gasoline dispensing facility operating permits, portable air curtain incinerator and portable sandblasting operation operating permits and sources which are required to pay Title V operating permit fees pursuant to sections (e) or opt-out fees pursuant to section (f).

- (1) Initial and annual fee. The division shall collect a fee for the initial issuance of an operating permit and an annual administrative fee for each succeeding year for the maintenance and renewal of an operating permit. The total fee shall be the per facility fee specified in subpart (2) below, plus the source category fee or fees specified in subpart (3) below, if applicable. The total fee, exclusive of the source category fees in subparts (3)c and (3)d, shall not exceed three thousand three hundred dollars (\$3,300.00).

(2) Per facility fees.

- a. The fee for each facility with no allowable emissions of any ~~one (1)~~ single pollutant ~~less~~ greater than twenty-five (25) tons per year shall be two hundred and fifty dollars (~~\$200~~ \$250.00).
- b. The fee for each facility with allowable emissions of any one (1) pollutant of twenty-five (25) tons per year or greater, but less than one hundred (100) tons per year, shall be ~~seven~~ nine hundred fifty dollars (~~\$750~~ \$900.00).

(3) Source category fees.

- a. The fee for each source with actual emissions of seventy-five (75) tons per year or greater shall be one thousand ~~two~~ five hundred dollars (~~\$1,200~~ \$1,500.00).
- b. The fee for each source with actual emissions of twenty-five (25) tons per year or greater but less than seventy-five (75) tons per year shall be ~~eight hundred~~ one thousand dollars (~~\$800~~ \$1,000.00).
- c. The fee for each source subject to federal, state or local national emission standards for hazardous air pollutants shall be two thousand dollars (\$2,000.00).

- d. The fee for each source subject to federal, state or local new source performance standards shall be two thousand dollars (\$2,000.00) per standard.
- (4) The fees set forth in section (d)(2) and (3)(a) and (b) shall be increased each year by the percentage, if any, by which the Consumer Price Index for the most recent calendar year ending before the beginning of such year exceeds the Consumer Price Index for the calendar year 1995.
- a. The Consumer Price Index for any calendar year is the average of the Consumer Price Index for all United States consumers published by the Department of Labor, as of the close of the 12-month period ending on August 31 of each calendar year.
- b. The revision of the Consumer Price Index which is most consistent with the Consumer Price Index for the calendar year 1995 shall be used.
- ~~(e) 1994 fees for sources required to obtain Title V operating permits.~~
- ~~(1) In calendar year 1994, sources which, according to 40 C.F.R. § 70.3 and applicable state and local regulations, will be required to obtain a Title V operating permit under a United States Environmental Protection Agency approved Title V operating permit program applicable to Marion County, shall pay an annual fee in accordance with the highest applicable fee set forth in Table 1 in subsection (3) of this section. If a source contains facilities that fit into more than one industry category, the administrator shall assess the fee from the one applicable category that most reasonably represents the cost of regulating the sources. The fees in Table 1 are per plant fees.~~
- ~~(2) The following definitions apply to Table 1 in subsection (3) of this section:~~
- ~~Major source has the meaning set forth in 40 C.F.R. § 70.2.~~
- ~~Regulated air pollutant has the meaning set forth in 40 C.F.R. § 70.2.~~
- ~~(3) In Table 1 below the Standard Industrial Classification Manual (1987) has been used to define categories for assessment of fees. Two digits refer to a major group, three digits refer to an industry group and four digits refer to the industry number.~~

TABLE 1

- ~~(1) Aerospace Manufacturing \$5,475~~  
~~Major sources whose industry group number is:~~  
~~372 Aircraft and Parts~~
- ~~(2) Cement Manufacturing \$27,375~~  
~~Major sources whose industry group number is:~~  
~~324 Cement, Hydraulic or~~  
~~327 Concrete, Gypsum, and Plaster Products~~
- ~~(3) Synthetic Organic Chemicals less than 500 tons \$24,450~~  
~~per year of total actual regulated air pollutant emissions~~
- ~~Synthetic Organic Chemicals greater than 500 tons \$49,050~~  
~~per year of total actual regulated air pollutant emissions~~
- ~~Major sources whose industry group number is:~~  
~~282 Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and other Manmade Fibers, except Glass or~~  
~~284 Soap, Detergents, and Cleaning Preparations; Perfumes, Cosmetics, and Other Toilet Preparations or~~  
~~289 Miscellaneous Chemical Products~~
- ~~(4) Inorganic Chemicals \$11,625~~  
~~Major sources whose industry group number is:~~  
~~281 Industrial Inorganic Chemicals~~
- ~~(5) Surface Coaters except Metal Parts \$13,650~~



Major sources whose primary source of air emissions is from coating surfaces and the major group number is:

- 20 Food and Kindred Products or
- 24 Lumber and Wood Products, except Furniture or
- 25 Furniture and Fixtures or
- 26 Paper and Allied Products or
- 27 Printing, Publishing and Allied Industries or
- 30 Rubber and Miscellaneous Plastic Products or
- 32 Stone, Clay, Glass and Concrete Products or
- 33 Primary Metal Industries or
- 34 Fabricated Metal Products, except Machinery and Transportation Equipment or
- 35 Industrial and Commercial Machinery and Computer Equipment or
- 36 Electronic and other Electrical Equipment and Components, except Computer Equipment or
- 37 Transportation Equipment or
- 38 Measuring, Analyzing, and Controlling Instrument; Photographic, Medical and Optical Goods; Watches and Clocks or
- 39 Miscellaneous Manufacturing Industries

(6) Coaters of Metal Parts \$11,625

Major sources whose primary source of air emissions is from coating metal parts and the major group number is:

- 33 Primary Metal Industries or
- 34 Fabricated Metal Products, except Machinery and Transportation Equipment or
- 35 Industrial and Commercial Machinery and Computer Equipment or
- 36 Electronic and Other Electrical Equipment and Components, except Computer Equipment or
- 37 Transportation Equipment or
- 38 Measuring, Analyzing, and Controlling Instrument; Photographic, Medical and Optical Goods; Watches and Clocks or
- 39 Miscellaneous Manufacturing Industries

(7) Manufacturing of Fiberglass Products \$11,700

Major sources whose industry group number is:

- 222 Broadwoven Fabric Mills, Manmade Fiber and Silk or
- 329 Abrasive, Asbestos, and Miscellaneous Nonmetallic Mineral Products

(8) Degreasers \$5,475

Major sources whose primary source of air emissions is from degreasers and the major group number is:

- 30 Rubber and Miscellaneous Plastic Products or
- 34 Fabricated Metal Products, except Machinery and Transportation Equipment or
- 37 Transportation Equipment or
- 38 Measuring, Analyzing, and Controlling Instruments; Photographic, Medical and Optical Goods; Watches and Clocks or
- 39 Miscellaneous Manufacturing Industries or
- 97 National Security

(9) Diesel Engines Test Cells \$5,475

Major sources whose industry group number is:

- 351 Engines and Turbines or
- 362 Electrical Industrial Apparatus

(10) Asphalt Plants \$8,250

Major sources whose industry group number is:

- 295 Asphalt Paving and Roofing Materials

(11) Motor Vehicle Manufacturing less than 500 tons per \$13,650

year of total actual regulated air pollutant emissions

Motor Vehicle Manufacturing greater than 500 tons \$46,650

per year of total actual regulated air pollutant emissions

Major sources whose industry group number is:

- 323 Glass Products, Made from Purchased Glass or
- 371 Motor Vehicles and Motor Vehicle Equipment or

- ~~379 — Miscellaneous Transportation Equipment~~
- (12) ~~Electronic Manufacturing \$13,650~~  
Major sources whose primary business is electronic manufacturing and the industry group number is:  
~~354 — Metalworking Machinery and Equipment or~~  
~~361 — Electric Transmission and Distribution Equipment or~~  
~~362 — Electrical Industrial Apparatus or~~  
~~365 — Household Audio and Video Equipment, and Audio Recordings or~~  
~~367 — Electronic Components and Accessories or~~  
~~369 — Miscellaneous Electrical Machinery, Equipment, and Supplies or~~  
~~372 — Aircraft and Parts or~~  
~~382 — Laboratory Apparatus and Analytical, Optical, Measuring, and Controlling Instruments~~
- (13) ~~Food Processing less than 500 tons per year of \$8,250~~  
total actual regulated air pollutant emissions  
~~Food Processing greater than 500 tons per year of \$34,125~~  
total actual regulated air pollutant emissions  
Major sources whose major group number is:  
~~20 — Food and Kindred Products~~
- (14) ~~Foundries/Smelters with a melt rate less than 20 tons per hour \$11,625~~  
~~Foundries/Smelters with a melt rate greater than 20 tons per hour \$30,075~~  
Major sources whose industry group number is:  
~~332 — Iron and Steel Foundries or~~  
~~334 — Secondary Smelting and Refining of Nonferrous Metals or~~  
~~336 — Nonferrous Foundries or~~  
~~349 — Miscellaneous Fabricated Metal Products or~~  
~~356 — General Industrial Machinery and Equipment or~~  
~~369 — Miscellaneous Electrical Machinery, Equipment and Supplies or~~  
~~371 — Motor Vehicles and Motor Vehicle Equipment~~
- (15) ~~Metal Furniture Manufacturing \$13,725~~  
Major sources whose primary business is manufacturing metal furniture and whose industry group number is:  
~~355 — Special Industry Machinery and Equipment, except Metalworking Machinery or~~  
~~371 — Motor Vehicles and Motor Vehicle Equipment or~~  
~~372 — Aircraft and Parts~~
- (16) ~~Wood Furniture Manufacturing \$13,650~~  
Major sources whose primary business is manufacturing wood furniture and whose industry group number is:  
~~243 — Millwork, Veneer, Plywood, and Structural Wood Members or~~  
~~249 — Miscellaneous Wood Products or~~  
~~251 — Household Furniture or~~  
~~253 — Public Building and Related Furniture or~~  
~~254 — Partitions, Shelving, Lockers and Office and Store Fixtures or~~  
~~393 — Musical Instruments~~
- (17) ~~Crude Oil Storage Facilities \$5,475~~  
Major sources whose industry group number is:  
~~131 — Crude Petroleum and Natural Gas~~
- (18) ~~Gasoline Terminals \$5,475~~  
Major sources whose industry group number is:  
~~291 — Petroleum Refining or~~  
~~517 — Petroleum and Petroleum Products~~
- (19) ~~Gas Turbines \$8,250~~  
Major sources whose industry group number is:  
~~351 — Engines and Turbines or~~  
~~492 — Gas Production and Distribution~~



- (20) ~~Glass Manufacturing \$16,500~~  
Major sources whose industry group number is:  
~~322 Glass and Glassware, Pressed or Blown~~
- (21) ~~Grain Elevators \$5,475~~  
Major sources whose industry group number is:  
~~204 Grain Mill Products or~~  
~~515 Farm Product Raw Material~~
- (22) ~~Waste Facility \$5,475~~  
Major sources whose industry group number is:  
~~478 Miscellaneous Services Incidental to Transportation~~
- (23) ~~Municipal Solid Waste Incinerator \$38,550~~  
Major sources as defined in Section 129(g) of the Clean Air Act of 1990
- (24) ~~Lead Smelter \$30,075~~  
Major sources whose industry group number is:  
~~334 Secondary Smelting and Refining of Nonferrous Metals~~
- (25) ~~Industrial Boilers less than 250 tons per year of \$8,250~~  
~~total actual regulated air pollutant emissions~~  
~~Industrial Boilers 250 to 500 tons per year of \$16,500~~  
~~total actual regulated air pollutant emissions~~  
~~Industrial Boilers greater than 500 tons per year \$19,275~~  
~~of total regulated air pollutant emissions~~
- ~~Major sources not elsewhere classified and whose primary emissions are from steam-generating boilers from a wide range of industrial classifications including, but not limited to, hospitals, colleges, universities and correctional institutions.~~
- (26) ~~Metal Parts Manufacturing \$6,825~~  
Major sources whose primary business is manufacturing metal parts and whose major group number is:  
~~25 Furniture and Fixtures or~~  
~~33 Primary Metal Industries or~~  
~~34 Fabricated Metal Products, except Machinery and Transportation Equipment or~~  
~~35 Industrial and Commercial Machinery and Computer Equipment or~~  
~~36 Electronic and Other Electrical Equipment and Components, except Computer Equipment or~~  
~~37 Transportation Equipment~~
- (27) ~~Coal Mines \$7,500~~  
Major sources whose industry group number is:  
~~122 Bituminous Coal and Lignite Mining~~
- (28) ~~Coal Handling \$8,250~~  
Major sources whose industry group number is:  
~~124 Coal Mining Services~~
- (29) ~~Quarries \$5,475~~  
Major sources whose industry group number is:  
~~141 Dimension Stone or~~  
~~142 Crushed and Broken Stone, Including Riprap or~~  
~~328 Cut Stone and Stone Products or~~  
~~329 Abrasive, Asbestos, and Miscellaneous Nonmetallic Mineral Products~~
- (30) ~~Paint Manufacturing \$5,475~~  
Major sources whose industry group number is:  
~~285 Paints, Varnishes, Lacquers, Enamels, and Allied Products~~
- (31) ~~Pharmaceuticals less than 500 tons per year of \$13,650~~  
~~total actual regulated air pollutant emissions~~

~~Pharmaceuticals greater than 500 tons per year \$49,050  
of total actual regulated air pollutant emissions  
Major sources whose industry group number is:  
283 — Drugs~~

- ~~(32) Plastics Manufacturing less than 250 tons per \$13,650  
year of total actual regulated air pollutant emissions  
Plastics Manufacturing 250 to 500 tons per year \$29,325  
of total actual regulated air pollutant emissions~~

~~Plastics Manufacturing greater than 500 tons per \$43,725  
year of total actual regulated air pollutant emissions  
Major sources whose primary source of air emissions is from plastics manufacturing and whose  
industry group number is:  
308 — Miscellaneous Plastics Products or  
364 — Electric Lighting and Wiring Equipment or  
371 — Motor Vehicles and Motor Vehicle Equipment or  
373 — Ship and Boat Building and Repairing or  
379 — Miscellaneous Transportation Equipment~~

- ~~(33) Rubber Parts Manufacturing \$6,825  
Major sources whose industry group number is:  
310 — Tires and Inner Tubes or  
306 — Fabricated Rubber Products, not elsewhere classified or  
371 — Motor Vehicles and Motor Vehicle Equipment~~

- ~~(34) Polyurethane Foam Production \$6,825  
Major sources whose industry group number is:  
282 — Plastics Material and Synthetic Resins, Synthetic Rubber, Cellulosic and other Manmade  
Fibers, except Glass or  
308 — Miscellaneous Plastics Products~~

- ~~(35) Pulp Paper — \$16,500  
Major sources whose industry group number is:  
262 — Paper Mills or  
265 — Paperboard Containers and Boxes or  
267 — Converted Paper and Paperboard Products, except Containers and Boxes~~

- ~~(36) Refineries 20,000 to 50,000 bbl/day \$16,500  
Refineries greater than 50,000 bbl/day \$71,400  
Major sources whose industry group number is:  
291 — Petroleum Refining or  
517 — Petroleum and Petroleum Products~~

- ~~(37) Utilities less than 65 MW \$12,300  
Utilities greater than 65 MW \$35,700  
Major sources whose industry group number is:  
491 — Electric Services~~

- ~~(38) Rotogravure/Flexographic Printing \$16,500  
Major sources whose primary source of air emissions is from printing and whose industry group  
number is:  
265 — Paperboard Containers and Boxes or  
267 — Converted Paper and Paperboard Products, except Containers and Boxes or  
275 — Commercial Printing~~

- ~~(39) Primary Aluminum Production \$69,825  
Major sources, not including industrial boilers, whose industry group number is:  
333 — Primary Smelting and Refining of Nonferrous Metals~~

- ~~(40) Steel Production less than 2,000,000 tons per year capacity \$49,425  
Steel Production greater than 2,000,000 tons per year capacity \$138,525~~



Major sources that produce steel by Open Hearth, Basic Oxygen Furnace, Basic Oxygen Process, or Electric Arc Furnace, whose industry group number is:

~~331 Steel Works, Blast Furnaces, and Rolling and Finishing Mills~~

~~Sources which operate coke ovens must pay additional fees according to subdivision (42).~~

~~(41) Wood Products \$16,500~~

~~Major sources whose industry group number is:~~

~~243 Millwork, Veneer, Plywood, and Structural Wood Members or~~

~~254 Partitions, Shelving, Lockers, and Office and Store Fixtures~~

~~(42) Coke Oven Battery \$29,550~~

~~Major sources whose industry number is:~~

~~4925 Mixed, Manufactured, or Liquefied Petroleum Gas Production and/or Distribution. In addition to the above fee each coke oven battery shall pay the actual cost incurred in performing inspections required by 40 C.F.R. §63, Subpart L. As used in this subpart "Coke Oven Battery" shall have the meaning set forth in Board Regulation X.~~

~~(43) Hazardous Air Pollutants \$3,300~~

~~Major sources that are only major due to hazardous air pollutants listed in Section 112(b) of the Clean Air Act of 1990.~~

~~(44) Not Elsewhere Classified 100 to 250 tons per year \$8,250~~

~~of total actual regulated air pollutant emissions~~

~~Not Elsewhere Classified 250 to 500 tons per year \$11,625~~

~~of total actual regulated air pollutant emissions~~

~~Not Elsewhere Classified 500 to 1000 tons per \$21,900~~

~~year of total actual regulated air pollutant emissions~~

~~Not Elsewhere Classified greater than 1000 tons \$32,100~~

~~per year of total actual regulated air pollutant emissions~~

~~Major sources which are not classified in subdivisions (1)~~

~~through (43) above are subject to the fees in this subdivision.~~

END OF TABLE I

- ~~(4) During calendar year 1994, a source which, according to 40 C.F.R. § 70.3 and applicable state and local regulations will be required to obtain a Title V operating permit under a United States Environmental Protection Agency approved Title V operating permit program applicable to Marion County, but notifies the administrator in writing of the intent to opt out of the requirement to obtain a Title V operating permit by accepting in a federally enforceable state or local operating permit physical or operational limits on the source's capacity to emit air pollutants, and reasonably demonstrates to the administrator the ability to so opt out, is not subject to the fee schedule set forth in Table I of section (e)(3) and instead is subject to the fee schedule set forth in section (d).~~

~~The board shall adopt regulations establishing procedures for obtaining a federally enforceable operating permit from the division.~~

~~An application fee of three thousand five hundred dollars (\$3,500.00) and an annual administrative fee of one thousand five hundred dollars (\$1,500.00) shall be due to the division as set forth in such regulations.~~

- ~~(e) Fees for 1995, 1996 and subsequent years for sources required to obtain Title V operating permits.~~

- ~~(1) Beginning in calendar year 1995, sources which, according to 40 CFR. §70.3 and applicable state and local regulations, will be required to obtain a Title V operating permit under a United States Environmental Protection Agency approved Title V operating permit program applicable to Marion County, shall pay an annual fee as set forth in subsection 2 of this section.~~

- ~~(2) A source's annual fee shall be calculated as follows:~~

- ~~a. Each source shall pay a base fee of two thousand five hundred dollars (\$2,500.00) and shall pay an additional fee of thirty-seven dollars (\$37.00) per ton for each ton of regulated pollutant emitted, provided that, no source shall pay more than one hundred fifty thousand~~

dollars (\$150,000.00), or, if a source emits more than one hundred (100) tons per year of NO<sub>x</sub> and more than one hundred (100) tons per year of VOC and is located in an area designated as serious or severe nonattainment for ozone in accordance with the Clean Air Act of 1990, the source shall pay no more than two hundred thousand dollars (\$200,000.00). The administrator shall exclude from the fee calculation the amount of each source's actual emissions of any regulated pollutant that the source emits in excess of four thousand (4000) tons per year. As used in this section, "regulated pollutant" shall have the meaning set forth in board Regulation XVII-1, Section 1(31).

- b. During the years 1995 through 1999 inclusive, any affected unit under Section 404 of the Clean Air Act of 1990 shall be exempted from the fees established under subsection (2)(i) and shall instead pay the following:

Fifty thousand dollars (\$50,000.00) shall be submitted upon billing for an electric power plant containing a Phase I affected unit, as identified in Table A of Section 404 of the Clean Air Act of 1990 or for a substitution unit as determined by U.S. EPA in accordance with Section 404 of the Clean Air Act of 1990.

- c. Municipal solid waste incinerators with a capacity greater than two hundred fifty (250) tons per day shall be exempted from the fees established under subsection (2)(i) and shall instead pay the following:

Twenty-five thousand dollars (\$25,000.00) shall be submitted upon billing.

- d. In addition to the fees established under subsection (2)(i), coke oven batteries shall pay the actual cost incurred in performing inspections required by 40 CFR §63, Subpart L, not to exceed one hundred twenty-five thousand dollars (\$125,000.00). As used in this subsection, "coke oven battery" shall have the meaning set forth in board Regulation X.

- (3) The annual emission statement submitted during the previous calendar year as required by 326 IAC 2-6 or an equivalent board regulation shall be the basis for determining total tons of actual emissions of each regulated pollutant. If an annual emission statement is not required or if more information is needed to accurately determine a source's emissions for a regulated pollutant, the administrator may require that the source report annual emissions using procedures acceptable to the administrator.

- (4) After review of a source's annual emission statement and all other available information, the administrator shall calculate the total emissions to be included in the fee. No source shall be required to pay more than a single dollar-per-ton fee during any billing period for any one (1) ton of pollutant emitted. If the source disputes the calculation of total actual emissions used to determine the fee, the source shall remit the total fee billed, less the amount attributable to the disputed emissions and shall provide calculations or other data supporting the disputed emissions within thirty (30) days of receipt of the billing. The administrator shall review the information submitted and make a final determination of the total fee due. The source shall pay any remaining fee due within fifteen (15) days of receipt of the revised billing.

- (5) The fees set forth in section (2)(i) shall be increased each year by the percentage, if any, by which the Consumer Price Index for the most recent calendar year ending before the beginning of such year exceeds the Consumer Price Index for the calendar year 1995.

- a. The Consumer Price Index for any calendar year is the average of the Consumer Price Index for all United States consumers published by the Department of Labor, as of the close of the 12-month period ending on August 31 of each calendar year.

- b. The revision of the Consumer Price Index which is most consistent with the Consumer Price Index for the calendar year 1995 shall be used.

- (6) Beginning in 1995, the administrator shall present a report to the board by August 15 of each calendar year. The report shall include the following information regarding the Title V permit program for the previous year:

- a. The number of sources in Marion County required to obtain Title V operating permits, including those choosing to opt-out of the requirement to obtain a Title V operating permit by



accepting in a federally enforceable permit physical or operational limits on the source's capacity to emit air pollutants;

- b. The number of such permit applications received by the division;
- c. The number and timeliness of final permit actions taken by the division;
- d. The adequacy of the fees collected by the division to fund the Title V operating permit program;
- e. An accounting of the monies deposited in the Air Pollution Control Program Fund, distinguishing fees used to fund the Title V operating permit program from other monies.

Based upon the report, the board may recommend that this section be amended to revise the fees to ensure that the fees collected are sufficient to cover the direct and indirect costs of the Title V operating permit program, and are used for no other purpose.

- (7) Pursuant to an enforceable written agreement with the Indiana Department of Environmental Management (IDEM) documenting the division's and IDEM's relative Title V operating permit program roles and responsibilities, a portion of the fees collected by the division may be transmitted to IDEM to recover costs incurred by IDEM in connection with Marion County Title V operating permit program responsibilities performed by IDEM.

(f) Fees for sources "opting-out" of requirement to obtain Title V operating permits. Notwithstanding section (e), sources which according to 40 CFR §70.3 and applicable state and local regulations will be required to obtain a Title V operating permit under a United States Environmental Protection Agency approved Title V operating permit program applicable to Marion County may opt-out of the requirements to obtain a Title V operating permit and to pay the Title V fees set forth in section (e) by: 1) accepting in a federally enforceable state or local operating permit ("FESOP") limits on the source's capacity to emit air pollutants, or 2) electing to be subject to federally enforceable state or local rules limiting the source's capacity to emit air pollutants ("Source Specific Operating Agreements"). The board shall adopt regulations establishing procedures for obtaining FESOP permits and Source Specific Operating Agreements. Pursuant to an enforceable written agreement with the Indiana Department of Environmental Management (IDEM) documenting the division's and IDEM's relative Title V operating permit program rules and responsibilities, a portion of the fees collected by the division may be transmitted to IDEM to recover costs incurred by IDEM in connection with Marion County Title V operating permit program responsibilities performed by IDEM.

- (1) FESOP permit fees. An application fee of three thousand five hundred dollars (\$3,500.00) and an annual administrative fee of one thousand five hundred dollars (\$1,500.00) shall be due to the division from sources which file FESOP applications and are issued FESOP permits as set forth in the FESOP regulation adopted by the board. A source's obligation to pay operating permit fees set forth in section (d) or Title V operating permit fees set forth in section (e) and/or (f) pending issuance of the FESOP permit, or upon denial of the FESOP application, shall be as set forth in such regulations.
- (2) Source Specific Operating Agreement fees. An application fee of five hundred dollars (\$500.00) shall be due to the division from sources electing to be subject to the Source Specific Operating Agreement regulation adopted by the board.

(g) Gasoline dispensing facility operating permits. The division shall collect a fee for the initial issuance of a gasoline dispensing facility operating permit and an annual administrative fee for each succeeding year for the maintenance and renewal of an operating permit. As used in this subpart "gasoline dispensing facility" shall have the meaning set forth in Board Regulation IV-3.3.

- (1) The fee for each gasoline dispensing facility with allowable emissions of any one pollutant less than twenty-five (25) tons per year shall be ~~forty~~ seventy-five dollars (\$~~40~~ 75.00).
- (2) The fee for each gasoline dispensing facility with allowable emissions of any one pollutant of twenty-five (25) tons or greater per year shall be two hundred dollars (\$200.00).

(h) Portable air curtain incinerator and portable sandblasting operation operating permits. The division shall collect a fee for the initial issuance of a portable air curtain incinerator or portable sandblasting operation operating permit and an annual administrative fee for each succeeding year for the maintenance and renewal

of an operating permit. The fee for each air curtain incinerator or portable sandblasting operation shall be two hundred fifty dollars (\$250.00).

(~~ih~~) Fire training facility permit. The division shall collect an annual fee of fifty dollars (\$50.00) for each fire training facility permitted pursuant to this chapter.

(ji) Emission credit permits. The division shall collect a fee of ~~two~~ five hundred dollars (~~\$200~~ \$500.00) for the initial issuance of an emission credit permit and an annual administrative fee for each succeeding year of two hundred dollars (\$200.00) for the maintenance of an emission credit permit.

(~~kj~~) Asbestos abatement permits. The division shall collect a fee of four hundred fifty dollars (\$450.00) for the initial issuance of an asbestos abatement permit and an annual administrative fee for each succeeding year of four hundred fifty dollars (\$450.00) for the maintenance and renewal of an asbestos abatement permit.

SECTION 7. Section 4-55 of the Code of Indianapolis and Marion County, Indiana, is hereby amended by inserting the language underlined and deleting the language stricken-through as follows:

Sec. 4-55. Air Pollution Control Program Fund.

(a) Effective in fiscal year 1993, there is hereby created a special fund to be designated as the "air pollution control program fund", in the division of finance, under the controller.

(b) This fund shall be a continuing fund, with all balances remaining therein at the end of each calendar year and no such balances shall lapse into the city or county general funds or ever be diverted, directly or indirectly, in any manner, to any other uses than developing and administering the operating permit program requirements of Title V of the Clean Air Act of 1990, performing ambient air quality monitoring, evaluating compliance with requirements of this Chapter, any regulation adopted by the Board or any permit issued by the division and other uses related to prevention, abatement and control of air pollution as authorized by this Chapter.

(c) The fund shall include one hundred fifty-seven thousand seven hundred dollars (\$157,700.00) from consolidated county in calendar year ~~1994~~ 1995, all permit fees and testing and monitoring fees, including any penalties and interest thereon, required to be collected by the division by section 4-52 and section 4-54, any grants from state or federal governmental agencies, any gifts and donations intended for the fund and monies recovered, exclusive of court costs, from enforcement actions brought pursuant to Article VI of this Chapter.

(d) The division shall provide a separate accounting for those permit fees in the fund required to be collected by the division by Title V of the Clean Air Act of 1990. (Title V operating permit program fees). The accounting shall be sufficient to demonstrate that such permit fees are being used solely to cover the reasonable, direct and indirect costs of the Title V operating permit program. Such costs may include, but are not limited to the following activities:

- (1) Preparing generally applicable regulations or guidance regarding the permit program or its implementation or enforcement;
- (2) Reviewing and acting on any application for a permit, permit revision, or permit renewal, including the development of an applicable requirement as part of the processing of a permit, or permit revision or renewal;
- (3) General administrative costs of running the permit program, including the supporting and tracking of permit applications, compliance certification, and related data entry;
- (4) Implementing and enforcing the terms of any permit (not including any court costs or other costs associated with an enforcement action), including adequate resources to determine which sources are subject to the program;
- (5) Emissions and ambient monitoring;
- (6) Modeling analyses, or demonstrations;
- (7) Preparing inventories and tracking emissions; and



- (8) Providing direct and indirect support to sources under the Small Business Stationary Source Technical and Environmental Compliance Assistance Program as required by section 507 of the Clean Air Act of 1990.

(e) Monies from this reserve fund shall be appropriated in accordance with the procedures for expenditure of public funds.

SECTION 8. Section 4-56 of the Code of Indianapolis and Marion County, Indiana is hereby amended by inserting the language underlined and deleting the language stricken-through as follows:

Sec. 4-56. Fees payable to Controller; non refundable; waiver; unpaid fees.

(a) All fees established pursuant to this chapter and its regulations shall be payable to the Indianapolis City Controller and shall become a part of the "Air Pollution Control Program Fund" created by Section 4-55.

(b) All fees established pursuant to this chapter are non refundable. If the permit is denied or revoked or the plant or facility is shut down, the fees shall neither be refunded nor applied to any subsequent application or reapplication. Fees paid annually may be pro rated by the division on a monthly basis.

(c) If a permit applicant or holder of a permit appears before the board and demonstrates that payment of applicable fees established by this chapter will cause undue economic hardship, the board may waive the fees for a period deemed appropriate by the board. The board may reduce any fee required to be paid to the division in connection with an operating permit required by ~~Title V~~ of the Clean Air Act of 1990 to take into account the financial resources of small business stationary sources as defined in Section 507(c) of that act.

(d) All fees established pursuant to this chapter and its regulations shall constitute a debt due to the Consolidated City of Indianapolis and Marion County. Failure to pay fees when due is a violation of this chapter and its regulations for which the division may take enforcement action as specified in Article VI of this chapter. At the request of the administrator, the corporation counsel may institute a civil suit in the name of the Consolidated City of Indianapolis and Marion County to recover any unpaid fee. In addition, the administrator, pursuant to section 4-61 of this chapter, may revoke a permit for failure to pay fees as required in this chapter.

SECTION 9. Sec. 4-80 of the Code of Indianapolis and Marion County, Indiana is hereby amended by inserting the language underlined and deleting the language stricken-through as follows:

Sec. 4-80. Appeals of administrative actions.

(a) Right of appeal. Any person affected by an action of the administrator defined by paragraph (b) of this section as an action appealable to the board, may appeal to the board for relief from the action, or intervene in such appeal brought by another affected person. An appeal to the board is a prerequisite to judicial review for all actions defined by paragraph (b) as actions appealable to the board. Judicial review may be sought directly from actions of the administrator defined by paragraph (c) as actions not appealable to the board.

(b) Actions appealable to the board. Any action of the administrator, except actions described in paragraph (c), may be appealed to the board.

(c) Actions not appealable to the board. The following actions of the administrator are actions not appealable to the board:

- (1) An emergency order issued pursuant to section 4-67 of this chapter is an action not appealable to the board.
- (2) For a notice of violation (issued pursuant to section 4-60 of this chapter) which is referred to the corporation counsel for civil enforcement (pursuant to section 4-62 of this chapter), a person may appeal to the board only for an interpretation of the regulation, permit or order allegedly violated.
- (3) Pursuant to section 4-50(d)(19), for permits required by Title V of the Clean Air Act of 1990, failure of the division to act on an initial or renewal application, or modification or revision, within the time periods specified in that act is an action not appealable to the board.

(ed) Procedures for making an appeal.

- (1) Within fifteen (15) days of the effective date of the administrator's action, the appellant shall submit to the administrator a written request to appeal to the board. The request shall be addressed to the board and shall state the basis for the appeal and the relief desired.
- (2) At the time of filing, the appellant shall post a fee of twenty-five dollars (\$25.00) to cover the administrative cost of the hearing. The fee shall be refunded only if the appeal is sustained. The board may waive the fee upon a showing of economic hardship.
- (3) Submitting a request to appeal stays the administrator's action until the board renders a final decision on the appeal.

(de) Hearing.

- (1) No later than fifteen (15) days after the request to appeal is filed, the administrator shall schedule a hearing before the board. The hearing shall be not later than sixty (60) days after the request to appeal is filed, unless the board grants a continuance. The administrator shall notify the appellant of the hearing date in writing.
- (2) At the hearing the parties to the appeal may present evidence and cross-examine witnesses. The board may establish time limits and procedures for presenting evidence, cross-examination and argument. The appellant has the burden of proving that the administrator's action should be modified or reversed. Upon hearing the evidence presented, and no later than sixty (60) days after the hearing is concluded, the board shall affirm, modify or reverse the administrator's action. The board may order either party to act in accordance with its decision.

(ef) Effect of the board's decision. The decision of the board shall be binding on the parties unless reversed or otherwise modified by a court of competent jurisdiction.

SECTION 10. (a) The expressed or implied repeal or amendment by this ordinance or any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

(b) An offense committed before the effective date of this ordinance, under any ordinance expressly or impliedly repealed or amended by this ordinance shall be prosecuted and remains punishable under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 11. Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the council adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 12. This ordinance shall be in full force and effect upon passage and compliance with IC 36-3-4-14.

PROPOSAL NO. 516, 1994. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 516, 1994 on September 29, 1994. The proposal approves the transfer of certain territory located at approximately 3600-4200 9th Avenue from the Consolidated City of Indianapolis to the City of Beech Grove. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Coughenour, for adoption. Proposal No. 516, 1994 was adopted on the following roll call vote; viz:

28 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams  
1 NAY: Jimison



Proposal No. 516, 1994 was retitled GENERAL ORDINANCE NO. 137, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 137, 1994

A GENERAL ORDINANCE approving transfer of certain territory from the Consolidated City of Indianapolis to the City of Beech Grove.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The owners of the real estate described in Section 2 of the ordinance having petitioned the City of Indianapolis to disannex such territory and having petitioned the City of Beech Grove to annex such territory, the transfer of such territory from the Consolidated City of Indianapolis to the City of Beech Grove is hereby approved, effective upon the City of Beech Grove approving such transfer.

SECTION 2. Sec. 111-1 of the "Revised Code of the Consolidated City" be and is hereby amended to reflect the change in boundaries of the Consolidated City by adding a new paragraph (7) reading as follows:

"(7) Disannexation to City of Beech Grove. The following territory is transferred to the City of Beech Grove:

Part of the Southwest Quarter of Section 28, Township 15 North, Range 4 East and part of the Northwest Quarter of Section 33, Township 15 North, Range 4 East in Marion County, Indiana, described as follows:

Commencing at the northwest corner of said northwest quarter; thence on an assumed bearing of South 00 degrees 12 minutes 12 seconds East along the west line of said northwest quarter a distance of 714.01 feet to the Beginning Point; thence continuing South 00 degrees 12 minutes 12 seconds East along said west line a distance of 215.00 feet; thence South 72 degrees 24 minutes 17 seconds East a distance of 89.63 feet; thence North 72 degrees 17 minutes 17 seconds East a distance of 402.67 feet; thence North 46 degrees 26 minutes 06 seconds East a distance of 372.14 feet; thence South 48 degrees 00 minutes 48 seconds East a distance of 266.00 feet; thence North 88 degrees 00 minutes 00 seconds East a distance of 195.00 feet; thence North 78 degrees 00 minutes 00 seconds East a distance of 70.00 feet; thence South 72 degrees 00 minutes 00 seconds East a distance of 235.00 feet; thence South 27 degrees 53 minutes 37 seconds East a distance of 303.46 feet; thence South 23 degrees 00 minutes 00 seconds West a distance of 135.00 feet; thence South 40 degrees 00 minutes 00 seconds East a distance of 92.96 feet; thence North 00 degrees 18 minutes 05 seconds West parallel with the west line of said southwest quarter a distance of 1309.35 feet to the south line of said southwest quarter; thence continuing North 00 degrees 18 minutes 05 seconds West parallel with the west line of said southwest quarter a distance of 1987.62 feet; thence South 88 degrees 38 minutes 02 seconds West parallel with the north line of said southwest quarter a distance of 1129.08 feet; thence South 02 degrees 49 minutes 35 seconds East a distance of 367.07 feet; thence South 22 degrees 32 minutes 53 seconds West a distance of 550.00 feet; thence South 00 degrees 00 minutes 00 seconds West a distance of 100.00 feet; thence South 27 degrees 26 minutes 56 seconds East a distance of 205.00 feet; thence South 04 degrees 46 minutes 33 seconds East a distance of 355.27 feet; thence South 50 degrees 35 minutes 22 seconds East a distance of 130.00 feet; thence South 35 degrees 39 minutes 26 seconds East a distance of 478.00 feet to the north line of said northwest quarter; thence South 16 degrees 21 minutes 31 seconds West a distance of 405.00 feet; thence South 32 degrees 58 minutes 38 seconds West a distance of 410.00 feet; thence South 90 degrees 00 minutes 00 seconds West a distance of 400.00 feet to the Beginning Point. Containing 72.574 acres, more or less.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14 and approval by the City of Beech Grove of the annexation of the territory.

SECTION 4. The clerk shall file a copy of the ordinance, upon adoption, with the designated official of the State Board of Tax Commissioners and with the Clerk of the Circuit Court of Marion County.

PROPOSAL NO. 547, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 547, 1994 on October 3, 1994. The proposal is an appropriation from the Property Reassessment Fund in the amount of \$786 to pay for

necessary moving expenses for the Franklin Township Assessor financed by transferring other appropriations for that agency. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Coughenour, for adoption. Proposal No. 547, 1994 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Gray, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

3 NOT VOTING: *Borst, Gilmer, Jones*

Proposal No. 547, 1994 was retitled FISCAL ORDINANCE NO. 92, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 92, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Seven Hundred Eighty-Six Dollars (\$786) in the Property Reassessment Fund for purposes of the Franklin Township Assessor and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (p) of the City-County Annual Budget for 1994, be and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Franklin Township Assessor to pay the Building Authority's invoice for the costs incurred during move from Suite 1142 to Suite 1122.

SECTION 2. The sum of Seven Hundred Eighty-Six (\$786) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>FRANKLIN TOWNSHIP ASSESSOR</u>	<u>PROPERTY REASSESSMENT FUND</u>
3. Other Services and Charges	786
TOTAL INCREASE	786

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>FRANKLIN TOWNSHIP ASSESSOR</u>	<u>PROPERTY REASSESSMENT FUND</u>
4. Capital Outlay	786
TOTAL REDUCTION	786

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 549, 1994. Councillor Giffin reported that the Parks & Recreation Committee heard Proposal No. 549, 1994 on October 17, 1994. The proposal amends the Revised Code to reflect the new organizational structure of the Department of Parks and Recreation. Due to the fact that there were many people who felt that this proposal should not be accelerated for final consideration due to unresolved questions, the Committee voted to hold the proposal in Committee for a subsequent hearing.

PROPOSAL NO. 550, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 550, 1994 on October 12, 1994. The proposal is an appropriation from the State and Federal Grants Fund in the amount of \$13,950



to purchase supplies and Department Case Management Software for the Superior Court, Criminal Division, Probation Department, financed by transferring other appropriations for that agency. By a 7-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 550, 1994 was adopted on the following roll call vote; viz:

25 YEAS: Beadling, Boyd, Brents, Coughenour, Curry, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, Shambaugh, Short, Smith, West, Williams

1 NAY: Borst

3 NOT VOTING: Black, Dowden, SerVaas

Proposal No. 550, 1994 was retitled FISCAL ORDINANCE NO. 93, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 93, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Thirteen Thousand Nine Hundred Fifty Dollars (\$13,950) in the State and Federal Grants Fund for purposes of the Superior Court, Criminal Division, Probation Department, and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (mm) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of creating funds for supplies which was previously overlooked when grant appropriated and transferring remaining funds for purchase of Department Case Management Software.

SECTION 2. The sum of Thirteen Thousand Nine Hundred Fifty Dollars (\$13,950) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>SUPERIOR COURT, CRIMINAL DIVISION,</u>	
<u>PROBATION DEPARTMENT</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
2. Supplies	3,000
4. Capital Outlay	<u>10,950</u>
TOTAL INCREASE	13,950

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>SUPERIOR COURT, CRIMINAL DIVISION,</u>	
<u>PROBATION DEPARTMENT</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>13,950</u>
TOTAL DECREASE	13,950

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 551, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 551, 1994 on October 12, 1994. The proposal, sponsored by Councillor Franklin, is an appropriation from the County General Fund in the amount of \$708 for the Superior Court, Criminal Division, Room Two, to pay for lease and maintenance expenses of copier equipment financed by transferring other

October 17, 1994

appropriations for that court. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Franklin, for adoption. Proposal No. 551, 1994 was adopted on the following roll call vote; viz:

27 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams  
0 NAYS:  
2 NOT VOTING: Beadling, Golc

Proposal No. 551, 1994 was retitled FISCAL ORDINANCE NO. 94, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 94, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Seven Hundred Eight Dollars (\$708) in the County General Fund for purposes of the Superior Court, Criminal Division, Room Two, and reducing certain other appropriations for that Court.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (gg) of the City-County Annual Budget for 1994, be and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Criminal Division, Room Two, to fund the lease and maintenance expenses of copier equipment.

SECTION 2. The sum of Seven Hundred Eight Dollars (\$708) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM TWO</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	708
TOTAL INCREASE	708

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM TWO</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	403
4. Capital Outlay	305
TOTAL DECREASE	708

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 552, 1994. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 552, 1994 on October 13, 1994. The proposal signifies the City's intent to improve its rate of solid waste diversion from landfills. By a 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Coughenour stated that the part of the comprehensive education program for solid waste diversion from landfills will include: paid and donated television and radio ads, a speakers bureau, a comprehensive brochure, direct mail, public affairs programs, feature articles, news releases, videos for community organizations, and development of two lesson plans for school grades K-8. Councillor Coughenour moved, seconded by Councillor Rhodes, for adoption. Councillor Rhodes stated that improving the solid waste diversion



needs to be a voluntary program in order to succeed. He also stated that in order to create a larger recycled market, consumers need to demand products made from recycled materials. Proposal No. 552, 1994, as amended, was adopted on the following roll call vote; viz:

*25 YEAS: Beadling, Black, Boyd, Brents, Coughenour, Curry, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, West, Williams*

*2 NAYS: Borst, O'Dell*

*2 NOT VOTING: Dowden, Smith*

Proposal No. 552, 1994, as amended, was retitled SPECIAL RESOLUTION NO. 72, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 72, 1994

A SPECIAL RESOLUTION signifying the City's intent to improve its rate of solid waste diversion from landfills.

WHEREAS, prior to passage of HEA 1240, IC 13-7-1-1, the City developed a long-term comprehensive solid waste management plan, including the construction of a waste-to-energy facility, which has resulted in diversion of 57% of solid waste from landfills; and

WHEREAS, in 1992, the Mayor formed the Indianapolis Solid Waste Citizens' Advisory Committee (ISWCAC) to develop recommendations on how to achieve the state reduction goals of 35% by 1996 and 50% by 2001 as outlined in HEA 1240; and

WHEREAS, the ISWCAC recommendations to meet the 1996 reduction goal of 35% include a variable rate program whereby homeowners would pay according to the number of bags or containers set at the curb, city-wide curbside recycling and separate yard waste collection, among other programs, at a cost of an estimated additional \$3-5 per month per homeowner; and

WHEREAS, the ISWCAC recommendations to meet the 2001 reduction goal of 50% calls for expansion of the 1996 programs as well as addition of a construction and demolition waste diversion program, and increased special waste diversion, among other programs, at a cost of an estimated additional \$5-7 per month per homeowner; and

WHEREAS, in 1994, the Mayor directed the Department of Public Works to formulate an alternative, more cost effective waste reduction plan that would allow the City to achieve a 35% reduction in waste disposal by January 1, 1996, without an increase in funding; and

WHEREAS, the Department proposed that if the City maintained its existing waste disposal reduction programs, banned the collection and final disposal of grass clippings effective January 1, 1995, expended commercial recycling activities, and implemented a comprehensive education program, then the City could achieve 35% waste disposal reduction without a funding increase; and

WHEREAS, the Department has not yet developed specific programs to meet the reduction goal of 50% by 2001 without additional funding; and

WHEREAS, a proposal to ban collection and final disposal of grass clippings has been introduced to the Council; and

WHEREAS, the Public Works Committee has been reviewing the Department's proposed diversion strategy and issues related to achieving the state reduction goals and has conducted public hearings on these matters; and

WHEREAS, the Public Works Committee's extensive review of the matter raised the question of whether the City should endeavor to meet the State's waste reduction goals since the goals are not mandatory and whether additional funding should be pledged to the achievement of these goals; and

WHEREAS, the Public Works Committee has listened to numerous comments from the public concerning all of the issues involved, reviewed the recommendations of the Indianapolis Solid Waste Citizens Advisory

October 17, 1994

Committee, and reviewed the recommendations of the Department of Public Works for the 1994-1996 diversion strategy including the grass ban; and

WHEREAS, because the City has formulated a long term comprehensive solid waste management plan that has resulted in a 57% diversion from landfilling, the Public Works Committee recommends that the City use best efforts to improve its diversion rate from landfilling by developing and implementing a comprehensive education program to inform residents on solid waste programs including solid waste diversion programs and the benefits of mulching yard waste.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Council finds that the that the City has a long-term comprehensive solid waste management plan in place and therefore the City should continue to strive to improve its rate of diversion of solid waste from landfills through the development and implementation of a comprehensive education program to inform residents on solid waste programs including solid waste diversion programs and the benefits of mulching yard waste and the continuation of existing solid waste diversion programs.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 561, 1994. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 561, 1994 on September 29, 1994. The proposal, sponsored by Councillors Williams and West, amends the Code to establish criteria for determining the eligibility of neighborhood development corporations and other nonprofit corporations for sales and grants of real property. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor West moved, seconded by Councillor Williams, for adoption.

Councillor Beadling asked if there is a time frame for the property to be returned to the City if there is no compliance with the terms of the agreement. Mr. West stated that State law reads that the property will be returned if it has not been utilized within five years. Mr. Elrod stated that the State law reads that the property will be returned if housing has not been provided on the parcel within five years. Councillor Beadling asked if there is any way the property could be returned sooner than five years. Mr. Elrod stated that the Metropolitan Development Commission can execute an agreement with whatever time limit they feel is necessary.

Proposal No. 561, 1994, as amended, was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Boyd, Brents, Coughenour, Curry, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, Smith, West, Williams*  
2 NAYS: *Borst, Schneider*  
1 NOT VOTING: *Dowden*

Proposal No. 561, 1994, as amended, was retitled GENERAL ORDINANCE NO. 138, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 138, 1994

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County to establish criteria as required by IC 36-7-15.1-15.1(i) and IC 36-7-15.1-22.5(f) for determining the eligibility of neighborhood development corporations and other nonprofit corporations for sales and grants of real property under IC 36-15.1-15.1 and IC 36-7-15.1-22.5(e)(3).



BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Chapter 2, Article 8 of the Code of Indianapolis and Marion County, Indiana is hereby amended by adding a new section to read as follows:

Sec. 2-515.5. Determination of eligibility of neighborhood development corporations and nonprofit corporations for sales and grants of real property under IC 36-7-15.1-15.1 and IC 36-7-22.5(e)(3).

(a) When disposing of real property by sale or grant under IC 36-7-15.1-15.1 or IC 36-7-15.1-22.5(e)(3) the Metropolitan Development Commission shall only sell or grant to a nonprofit corporation or neighborhood development corporation, meeting the following criteria:

- (1) it shall have as a major corporate purpose and function, the provision of housing for low or moderate income families within the geographic area in which the parcel of property is located;
- (2) it shall have been established for at least one year; and
- (3) it shall have agreed to comply with the terms of a "project development agreement" in the form determined by the Metropolitan Development Commission, which shall require among other terms, that prior to the transfer of title to the real estate to it:
  - (A) all affected, registered neighborhood associations will have been notified and either agreed to the project or have been granted the opportunity for hearing before the Commission, and
  - (B) an acceptable and feasible financial plan for the intended redevelopment has been presented to and approved by the director or the director's designee.

(b) The City-County Council of the City of Indianapolis and of Marion County, Indiana determines, that so long as they operate in compliance with the criteria in subsection (a), the following nonprofit corporations and neighborhood development corporations meet the criteria established herein:

- (1) Business Opportunity Systems Community Development Corporation
- (2) Community Action of Greater Indianapolis
- (3) Concord Community Development Corporation
- (4) Eastside Community Investments, Inc.
- (5) Indianapolis Neighborhood Housing Partnership
- (6) King Park Area Development Corporation
- (7) Mapleton-Fall Creek Housing Development Corporation
- (8) Martindale-Brightwood Community Development Corporation
- (9) Martin Luther King Community Development Corporation
- (10) Meridian Kessler Development Corporation
- (11) Near North Development Corporation
- (12) Riley Area Revitalization Program
- (13) Southeast Neighborhood Development, Inc.
- (14) United Northwest Area Development Corporation
- (15) West Indianapolis Development Corporation
- (16) Westside Community Development Corporation
- (17) Williams, Howard, Wright, Inc.
- (18) Habitat for Humanity
- (19) Historic Landmarks Foundation

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 562, 1994. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 562, 1994 on October 13, 1994. The proposal amends the Code dealing with the collection of grass. By a 6-2 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Coughenour moved, seconded by Councillor Schneider, to strike. Proposal No. 562, 1994 was stricken by a majority voice vote.

October 17, 1994

Councillor Gilmer asked for consent to vote on Proposal No. 570, 1994 at this time. Consent was given.

PROPOSAL NO. 570, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 570, 1994 on October 5, 1994. The proposal, sponsored by Councillor SerVaas, amends the Code by authorizing a traffic signal for Michigan Road and the entrance to Lowe's (8440 N.) (District 2). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Greg Henneke, Director, Department of Capital Asset Management (DCAM), stated that DCAM is aware of the concern of having too many curb cuts in this very congested area. DCAM has examined the area and determined that work can be done on both sides of the street to reserve ground to interconnect future and existing parking lots with Cub Foods (east of Lowe's) and College Park Plaza (northeast of Lowe's). Councillor Gilmer moved, seconded by Councillor Mullin, for adoption. Proposal No. 570, 1994 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Gray*

Proposal No. 570, 1994 was retitled GENERAL ORDINANCE NO. 140, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 140, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
3, Pg. 7	Michigan Rd, Lowe's (8440 N entrance)	None	Signal

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 519, 520, 521, 522, 523, 524, 556, and 557, 1994 on October 5, 1994.

PROPOSAL NOS. 519, 520, 521, 522, 523, 524, 556, and 557, 1994. Councillor Gilmer asked for consent to vote on these eight proposals together. Consent was given. PROPOSAL NO. 519, 1994. The proposal, sponsored by Councillor Giffin, amends the Code by authorizing a multi-way stop at Phoenix Drive and Southwest Drive (District 19). PROPOSAL NO. 520, 1994. The proposal amends the Code by authorizing a stop sign for Shore Drive at Shore Terrace (District 1). PROPOSAL NO. 521, 1994. The proposal, sponsored by Councillor Rhodes, amends the code by authorizing a multi-way stop at Beach Avenue, 79th Street and Lincoln Boulevard (District 7). PROPOSAL NO. 522, 1994. The proposal, sponsored by Councillor Hinkle, amends the Code by authorizing a multi-way stop



at Bauman Street and West Lake Road (District 18). PROPOSAL NO. 523, 1994. The proposal, sponsored by Councillor Smith, amends the Code by authorizing a multi-way stop at Frye Road, Shelbyville Road and Matthews Road (District 23). PROPOSAL NO. 524, 1994. The proposal, sponsored by Councillor Beadling, amends the Code by authorizing a multi-way stop at Bowline Drive and Skipjack Drive (District 5). PROPOSAL NO. 556, 1994. The proposal, sponsored by Councillor Smith, amends the Code by authorizing a stop sign at McGregor Road and Joyce Street (District 23). PROPOSAL NO. 557, 1994. The proposal, sponsored by Councillor Williams, amends the Code by authorizing a multi-way stop at New Jersey Street and 13th Street (District 22). By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Beadling, for adoption. Proposal Nos. 519, 520, 521, 522, 523, 524, 556, and 557, 1994 were adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Gray*

Proposal No. 519, 1994 was retitled GENERAL ORDINANCE NO. 141, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 141, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
37, Pg. 7	Southwest Dr Phoenix Dr	Southwest Dr	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
37, Pg. 7	Southwest Dr Phoenix Dr	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 520, 1994 was retitled GENERAL ORDINANCE NO. 142, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 142, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

October 17, 1994

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
15, Pg. 3	Shore Dr, Shore Ter	Shore Ter	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 521, 1994 was retitled GENERAL ORDINANCE NO. 143, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 143, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
4, Pg. 1	Beach Av, Lincoln Blvd	Lincoln Blvd	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
4, Pg. 1	Beach Av, Lincoln Blvd	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 522, 1994 was retitled GENERAL ORDINANCE NO. 144, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 144, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
22, Pg. 2	Bauman St, West Lake Rd	Bauman St	Stop



SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
22, Pg. 2	Bauman St, West Lake Rd	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 523, 1994 was retitled GENERAL ORDINANCE NO. 145, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 145, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
48, Pg. 2	Frye Rd, Shelbyville Rd, Matthews Rd	Shelbyville Rd	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
48, Pg. 2	Frye Rd, Shelbyville Rd, Matthews Rd	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 524, 1994 was retitled GENERAL ORDINANCE NO. 146, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 146, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
7, Pg. 2	Bowline Dr & Skipjack Dr	Skipjack Dr	Stop

October 17, 1994

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
7, Pg. 2	Bowline Dr & Skipjack Dr	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 556, 1994 was retitled GENERAL ORDINANCE NO. 147, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 147, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
49, Pg. 2	McGregor Rd, Joyce St	Joyce St/ McGregor (SWB)	Yield

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
49, Pg. 2	McGregor Rd, Joyce St	Joyce St/ McGregor (SWB)	Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 557, 1994 was retitled GENERAL ORDINANCE NO. 148, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 148, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 37	New Jersey St & 13th St	New Jersey St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:



<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 37	New Jersey St & 13th St	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 526, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 526, 1994 on October 5, 1994. The proposal, sponsored by Councillors Schneider and Rhodes, amends the Code by authorizing a traffic signal at 86th Street and Haverstick Road (Districts 3, 7). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor McClamroch stated that Haverstick Road is very close to Keystone Avenue and there is not much room for the stoppage of cars. Councillor Schneider asked for consent to postpone this proposal for further study. Councillor Rhodes agreed. Councillor O'Dell asked for consent to return this proposal to committee for further study. Councillor Gilmer agreed. Consent was given to return Proposal No. 526, 1994 to committee.

PROPOSAL NO. 527, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 527, 1994 on October 5, 1994. The proposal, sponsored by Councillor Golc, amends the Code by changing the speed limit on Tibbs Avenue from Kentucky Avenue to Washington Street (District 17). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Golc, for adoption. Proposal No. 527, 1994 was adopted on the following roll call vote; viz:

26 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams  
2 NAYS: Black, Curry  
1 NOT VOTING: Gray

Proposal No. 527, 1994 was retitled GENERAL ORDINANCE NO. 149, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 149, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-136, Alteration of prima facie speed limits.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-136, Alteration of prima facie speed limits, be, and the same is hereby amended by the deletion of the following, to wit:

40 MPH

Tibbs Avenue, from  
Kentucky Avenue to Washington Street

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-136, Alteration of prima facie speed limits, be, and the same is hereby amended by the addition of the following, to wit:



October 17, 1994

35 MPH

Tibbs Avenue, from  
Kentucky Avenue to Washington Street

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 529, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 529, 1994 on October 5, 1994. The proposal, sponsored by Councillor Giffin, amends the Code by authorizing parking restrictions on Farnsworth Street, on both sides, from Holt Road to a point 1,000 feet east of Holt Road (District 19). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Giffin, for adoption. Proposal No. 529, 1994 was adopted on the following roll call vote; viz:

*28 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

*0 NAYS:*

*1 NOT VOTING: Gray*

Proposal No. 529, 1994 was retitled GENERAL ORDINANCE NO. 150, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 150, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-267, Parking prohibited at all times on certain streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby, amended by the addition of the following, to wit:

Farnsworth Street, on both sides,  
from Holt Road to a point 1000 feet east of Holt Road

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 530, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 530, 1994 on October 5, 1994. The proposal, sponsored by Councillor Williams, amends the Code by authorizing parking restrictions on Roosevelt Avenue, on both sides, from 17th Street to Tipton Street (District 22). Councillor West asked if this proposal was amended to include "no stopping or standing." Councillor Gilmer answered in the affirmative. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Williams stated that the amendment of "no stopping or standing" gives the police more authority to keep people from stopping or standing in that area. The Police Department requested this amendment as an aid in eliminating drug dealing in this area. Councillor Franklin stated that if drug dealing is the problem in this area, the drug dealers should be arrested instead of forcing them to move elsewhere. Councillor Gilmer moved, seconded by Councillor Williams, for adoption. Proposal No. 530, 1994, as amended, was adopted on the following roll call vote; viz:



25 YEAS: *Beadling, Borst, Boyd, Coughenour, Curry, Dowden, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

1 NAY: *Franklin*

3 NOT VOTING: *Black, Brents, Gray*

Proposal No. 530, 1994, as amended, was retitled GENERAL ORDINANCE NO. 151, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 151, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby, amended by the addition of the following, to wit:

Roosevelt Avenue, on both sides,  
from Seventeenth Street to Tipton Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 553, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 553, 1994 on October 5, 1994. The proposal, sponsored by Councillors O'Dell and Ruhmkorff, amends the Code by authorizing a traffic signal at Post Road and 18th Street (Districts 12, 13). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor O'Dell, for adoption. Proposal No. 553, 1994 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Gray*

Proposal No. 553, 1994 was retitled GENERAL ORDINANCE NO. 152, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 152, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

October 17, 1994

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
27, Pg. 14	Post Rd, 18th St	Post Rd	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
27, Pg. 14	Post Rd, 18th St	None	Signal

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 554, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 554, 1994 on October 5, 1994. The proposal, sponsored by Councillor Coughenour, amends the Code by authorizing a traffic signal at East South County Line Road and Sherman Drive (District 24). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Coughenour, for adoption. Proposal No. 554, 1994 was adopted on the following roll call vote; viz:

*24 YEAS: Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West,*

*0 NAYS:*

*5 NOT VOTING: Beadling, Black, Gilmer, Gray, Williams*

Proposal No. 554, 1994 was retitled GENERAL ORDINANCE NO. 153, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 153, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
47, Pg. 3	County Line Rd, Sherman Dr	County Line Rd	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
47, Pg. 3	County Line Rd, Sherman Dr	None	Signal

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.



PROPOSAL NO. 555, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 555, 1994 on October 5, 1994. The proposal, sponsored by Councillor Hinkle, amends the Code by authorizing a traffic signal at Country Club Road and 21st Street (District 18). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Hinkle, for adoption. Proposal No. 555, 1994 was adopted on the following roll call vote; viz:

*26 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith, West, Williams*

*0 NAYS:*

*3 NOT VOTING: Gilmer, Gray, Short*

Proposal No. 555, 1994 was retitled GENERAL ORDINANCE NO. 154, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 154, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
22, Pg. 5	Country Club Rd, 21st St	None	All Way Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
22, Pg. 5	Country Club Rd, 21st St	None	Signal

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 558, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 558, 1994 on October 5, 1994. The proposal, sponsored by Councillor Brents, amends the Code by authorizing changes in parking restrictions for various downtown streets (District 16). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Brents, for adoption. Proposal No. 558, 1994 was adopted on the following roll call vote; viz:

*28 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

*0 NAYS:*

*1 NOT VOTING: Gray*

October 17, 1994

Proposal No. 558, 1994 was retitled GENERAL ORDINANCE NO. 155, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 155, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets; and Sec. 29-270, Parking prohibited during specified hours on certain days.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. That the "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby, amended by the deletion of the following, to wit:

New York Street, on both sides,  
from West Street to Senate Avenue

North Street, on both sides,  
from Delaware Street to Alabama Street

SECTION 2. That the "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Sec. 29-270, Parking prohibited during specified hours on certain days, be, and the same is hereby, amended by the addition of the following, to wit:

ON ANY DAY EXCEPT SATURDAYS, SUNDAYS, AND HOLIDAYS  
*from 7:00 a.m. to 6:00 p.m.*

New York Street, on both sides,  
from West Street to Senate Avenue

North Street, on both sides,  
from Delaware Street to Alabama Street

Pennsylvania Street, on the east side,  
from Ohio Street to a point 314 feet north of Ohio Street

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 559, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 559, 1994 on October 5, 1994. The proposal, sponsored by Councillor Beadling, amends the Code by authorizing a change in the speed limit on Sunnyside Road from 75th Street to Fox Road; and on Fox Road from Sunnyside Road to Oaklandon Road (District 5). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Beadling, for adoption. Proposal No. 559, 1994 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Giffin, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

1 NAY: *Franklin*

2 NOT VOTING: *Gilmer, Gray*

Proposal No. 559, 1994 was retitled GENERAL ORDINANCE NO. 139, 1994 and reads as follows:



CITY-COUNTY GENERAL ORDINANCE NO. 139, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-136, Alteration of prima facie speed limits.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-136, Alteration of prima facie speed limits, be, and the same is hereby amended by the deletion of the following, to wit:

40 MPH

Sunnyside Road,  
from 75th Street to Fox Road

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-136, Alteration of prima facie speed limits, be, and the same is hereby amended by the addition of the following, to wit:

35 MPH

Sunnyside Road,  
from 75th Street to Fox Road

Fox Road,  
from Sunnyside Road to Oaklandon Road

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**OLD BUSINESS**

Councillor Schneider asked about the status of Proposal No. 361, 1994. Councillor West stated that Proposal No. 361, 1994 was introduced in July in anticipation of having a hearing before the budget and handling the proposal after the budget was completed. On the day of the hearing, August 1, 1994, the matter was recast in a new format. After the budget the Metropolitan Development Committee began working on the new format. A hearing will be held on the matter within the next 30 days. The President requested that Councillor West announce and circulate the appropriate hearing date and time.

Councillor Williams commended City officials for a job well done in hosting the Indiana Association of Cities and Towns Annual Conference.

**ANNOUNCEMENTS AND ADJOURNMENT**

Councillor Boyd stated that he has been asked to offer the following motions for adjournment by:

- (1) Councillor Beadling in memory of Rodney E. Toliver and Wayne Weisheit,
- (2) by himself in memory of Leah K. Fairfield, Ernest McGruder, Matthew Sims, Harry J. Coyne, and Oscar Don Overby,
- (3) Councillor Coughenour in memory of Gary Arnold, and
- (4) Councillor Shambaugh in memory of Sally McCammack.

October 17, 1994

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Rodney E. Toliver, Wayne Weisheit, Leah K. Fairfield, Ernest McGruder, Matthew Sims, Harry J. Coyne, Oscar Don Overby, Gary Arnold, and Sally McCammack. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:22 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 17th day of October, 1994.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Clerk of the Council

(SEAL)





**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, NOVEMBER 1, 1994**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:06 p.m. on Monday, November 1, 1994, with Councillor SerVaas presiding.

Councillor Coughenour led the opening prayer and invited all present to join her in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*28 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
*1 ABSENT: Giffin*

A quorum of twenty-eight members being present, the President called the meeting to order.

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Coughenour introduced Gary Hart and Brandon Raferty, the husband and grandson of Suellen Hart, Clerk of the City-County Council.

**OFFICIAL COMMUNICATIONS**

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION  
SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY,  
INDIANA.



*Journal of the City-County Council*

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Tuesday, November 1, 1994, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Beurt SerVaas  
President, City-County Council

October 19, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Friday, October 21, 1994, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal No. 548, 1994, to be held on Tuesday, November 1, 1994, at 7:00 p.m., in the City-County Building.

Respectfully,  
s/Suellen Hart  
Clerk of the City-County Council

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances and resolutions:

GENERAL ORDINANCE NO. 136, 1994 - amending the Code to permit Indianapolis to operate an air program in compliance with Title V of the Clean Air Act

GENERAL ORDINANCE NO. 137, 1994 - approving the transfer of certain territory located at approximately 3600-4200 9th Avenue from the Consolidated City of Indianapolis to the City of Beech Grove

GENERAL ORDINANCE NO. 138, 1994 - amending the Code to establish criteria for determining the eligibility of neighborhood development corporations and other nonprofit corporations for sales and grants of real property

GENERAL ORDINANCE NO. 139, 1994 - amending the Code by authorizing a change in the speed limit on Sunnyside Road from 75th Street to Fox Road; and on Fox Road from Sunnyside Road to Oaklandon Road (District 5)

GENERAL ORDINANCE NO. 140, 1994 - amending the Code by authorizing a traffic signal for Michigan Road and the entrance to Lowe's (8440 N.) (District 2)

GENERAL ORDINANCE NO. 141, 1994 - amending the Code by authorizing a multi-way stop at Phoenix Drive and Southwest Drive (District 19)

GENERAL ORDINANCE NO. 142, 1994 - amending the Code by authorizing a stop sign for Shore Drive at Shore Terrace (District 1)

GENERAL ORDINANCE NO. 143, 1994 - amending the code by authorizing a multi-way stop at Beach Avenue, 79th Street and Lincoln Boulevard (District 7)

GENERAL ORDINANCE NO. 144, 1994 - amending the Code by authorizing a multi-way stop at Bauman Street and West Lake Road (District 18)

GENERAL ORDINANCE NO. 145, 1994 - amending the Code by authorizing a multi-way stop at Frye Road, Shelbyville Road and Matthews Road (District 23)

*November 1, 1994*

GENERAL ORDINANCE NO. 146, 1994 - amending the Code by authorizing a multi-way stop at Bowline Drive and Skipjack Drive (District 5)

GENERAL ORDINANCE NO. 147, 1994 - amending the Code by authorizing a stop sign at McGregor Road and Joyce Street (District 23)

GENERAL ORDINANCE NO. 148, 1994 - amending the Code by authorizing a multi-way stop at New Jersey Street and 13th Street (District 22)

GENERAL ORDINANCE NO. 149, 1994 - amending the Code by changing the speed limit on Tibbs Avenue from Kentucky Avenue to Washington Street (District 17)

GENERAL ORDINANCE NO. 150, 1994 - amending the Code by authorizing parking restrictions on Farnsworth Street, on both sides, from Holt Road to a point 1,000 feet east of Holt Road (District 19)

GENERAL ORDINANCE NO. 151, 1994 - amending the Code by authorizing parking restrictions on Roosevelt Avenue, on both sides, from 17th Street to Tipton Street (District 22)

GENERAL ORDINANCE NO. 152, 1994 - amending the Code by authorizing a traffic signal at Post Road and 18th Street (Districts 12, 13)

GENERAL ORDINANCE NO. 153, 1994 - amending the Code by authorizing a traffic signal at East South County Line Road and Sherman Drive (District 24)

GENERAL ORDINANCE NO. 154, 1994 - amending the Code by authorizing a traffic signal at Country Club Road and 21st Street (District 18)

GENERAL ORDINANCE NO. 155, 1994 - amending the Code by authorizing changes in parking restrictions for various downtown streets (District 16)

FISCAL ORDINANCE NO. 91, 1994 - an appropriation to pay for the Visiting Nurse Service as part of its Family Connection Center Program for the Domestic Relations section of the Court Administrator Agency from the State and Federal Grants Fund in the amount of \$25,600 financed by revenues from a state grant

FISCAL ORDINANCE NO. 92, 1994 - an appropriation from the Property Reassessment Fund in the amount of \$786 to pay for necessary moving expenses for the Franklin Township Assessor financed by transferring other appropriations for that agency

FISCAL ORDINANCE NO. 93, 1994 - an appropriation from the State and Federal Grants Fund in the amount of \$13,950 to purchase supplies and Department Case Management Software for the Superior Court, Criminal Division, Probation Department, financed by transferring other appropriations for that agency

SPECIAL ORDINANCE NO. 12, 1994 - authorizing City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1994 (Knob-in-the-Woods Project) in an amount not to exceed \$8,900,000 for F.C. Indianapolis L.P. for the acquisition, renovation and equipping of the existing 520 unit multi-family residential rental project known as Knob in the Woods apartments located at 2130 Waterford Place on approximately 66 acres of land (District 9)

SPECIAL RESOLUTION NO. 68, 1994 - concerning unfunded mandates

SPECIAL RESOLUTION NO. 69, 1994 - supporting the "I Have a Dream" National Youth Assembly

SPECIAL RESOLUTION NO. 70, 1994 - amending S.R. No. 54, 1994 (Inducement Resolution for North American Laboratory Company in an amount not to exceed \$3,000,000 for the acquisition, construction and equipping of an approximately 50,000 square foot building to be located at the southwest corner of 62nd Street and Guion Road which will be used for the manufacturing of a variety of dry mix products for the healthcare and food service industries) by revising the definition of the Applicant (District 9)

SPECIAL RESOLUTION NO. 71, 1994 - approving the issuance of a note by the City for the purpose of making advancements to the City Market Corporation to pay all or a portion of certain utilities expenses for the City Market accrued during the term of the lease

SPECIAL RESOLUTION NO. 72, 1994 - signifying the City's intent to improve its rate of solid waste diversion from landfills

Respectfully,  
s/Stephen Goldsmith, Mayor



## **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

## **APPROVAL OF JOURNALS**

President SerVaas called for additions or corrections to the Journal of October 17, 1994. There being no additions or corrections, the minutes were approved as distributed.

## **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 615, 1994. This proposal, sponsored by Councillor Coughenour, recognizes Andy Sims and the DPW Solid Waste Management Division. Councillor Coughenour read the resolution and presented a copy of the document to Mr. Sims, who expressed appreciation for the recognition. All the members of the Solid Waste Division who were present received a copy of the resolution and a Council pin. Michael Stayton, Director, DPW, congratulated Mr. Sims and the Solid Waste Division employees. Councillor Coughenour moved, seconded by Councillor West, for adoption. Proposal No. 615, 1994 was adopted by unanimous voice vote.

Proposal No. 615, 1994 was retitled SPECIAL RESOLUTION NO. 73, 1994 and reads as follows:

### **CITY-COUNTY SPECIAL RESOLUTION NO. 73, 1994**

A SPECIAL RESOLUTION recognizing Andrew "Andy" Sims and the DPW Solid Waste Division.

WHEREAS, October, 1993, was "D-Day" for everyone in the solid waste field in Indianapolis, because 40 districts were reduced to 10, and the districts were put up for bid; and

WHEREAS, Andrew "Andy" Sims, Administrator of the Solid Waste Division of the city's Department of Public Works and his crews rose to the challenge and shrugged off all the naysayers who said that the city employees couldn't be competitive; and

WHEREAS, by working hard, smart and motivated, by realigning every route, by increasing the number of pickups per crew per day, and by a plan to invest in more expensive but far more efficient trucks, the city workers won the maximum number of routes that any bidder was allowed to have; and

WHEREAS, the Solid Waste Division was told by outsiders that "No crews can pick up that much per day, you will kill your crews."; and

WHEREAS, the employees of the Indianapolis Solid Waste Division are here to proudly announce that one year later they have forced the private haulers to lower their prices to stay competitive with the city workers, that they are saving the city \$3.2 million a year, and that they are still alive and well, thank you; now, therefore:

### **BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Indianapolis City-County Council commends DPW Solid Waste Division Administrator Andy Sims for his leadership, and each member of the Solid Waste Division for their skill and efficiency in winning the maximum number of districts that they could possibly win in open competition.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 617, 1994. This proposal, sponsored by Councillors Gilmer, Hinkle and SerVaas, recognizes Raymond E. Gnat. Councillor Gilmer read the resolution and presented a copy of the document to Mr. Gnat, who expressed appreciation for the recognition. David McNamar, President of the Indianapolis-Marion County Public Library Board, introduced Ed Szynaka as the new director of the library. Councillor Gilmer moved, seconded by Councillor Hinkle, for adoption. Proposal No. 617, 1994 was adopted by unanimous voice vote.

Proposal No. 617, 1994 was retitled SPECIAL RESOLUTION NO. 74, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 74, 1994

A SPECIAL RESOLUTION recognizing Raymond E. Gnat.

WHEREAS, Raymond E. Gnat, a Milwaukee native, came to the Indianapolis-Marion County Public Library in March, 1963, as Assistant Director; and

WHEREAS, eight years later he was promoted to Director of the Library which he served until his retirement on September 30, 1994; and

WHEREAS, during his nearly quarter century watch, the Library opened new branches at Southport, Warren, Wayne, Pike, Lawrence, Flanner House, West Indianapolis, Decatur and the new Library Services Center, modernized other branches, increased bookmobile services, expanded reading programs, opened the reading room at Wheeler Mission and was the first Indiana public library to fully automate acquisitions, circulation and cataloging; and

WHEREAS, during Mr. Gnat's years as Director circulation increased from three million to eight million a year, and the library system increased the number of citizen borrowers by over a hundred thousand; and

WHEREAS, Mr. Gnat continuously emphasized Library financial stability, professional growth and public service; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the 31 years of dedicated service to the people of this city by Raymond E. Gnat, retired Director of the Indianapolis-Marion County Public Library.

SECTION 2. The Council also commends the citizens who have served on the Library Board, and the library volunteers and employees for increasing this form of civilization and enlightenment into our lives.

SECTION 3. The Council wishes Ray Gnat and his wife Jean well in the years to come.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 618, 1994. This proposal, sponsored by Councillors Williams, Coughenour and SerVaas, recognizes the Indianapolis Adult Literacy Coalition's *Juvenile Violence: Kids and Crime* forum. Councillor Coughenour read the resolution and presented a copy of the document to Pambana Uishi, Program Director, Indianapolis Adult Literacy Coalition, who expressed appreciation for the recognition. Councillor Coughenour moved, seconded by Councillor Williams, for adoption. Proposal No. 618, 1994 was adopted by unanimous voice vote.



Proposal No. 618, 1994 was retitled SPECIAL RESOLUTION NO. 75, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 75, 1994

A SPECIAL RESOLUTION recognizing the Indianapolis Adult Literacy Coalition's *Juvenile Violence: Kids and Crime* forum.

WHEREAS, during October and November the Indianapolis Adult Literacy Coalition is sponsoring a series of forums to examine the timely issue of juvenile violence; and

WHEREAS, this is the latest of a series of public policy issues prepared by the National Issues Forums which the Indianapolis Adult Literacy Coalition has coordinated in the city;

WHEREAS, this series offers meetings where adult learners, youth, and the general public can meet together to think and talk about the problem of juvenile violence; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council commends the Indianapolis Adult Literacy Coalition for its *Juvenile Violence: Kids and Crime* initiative, and forums on other important issues in the community.

SECTION 2. The Council also recognizes forum cosponsors: Greater Indianapolis Progress Committee, Indiana Youth Institute, Indianapolis-Marion County Public Library, Indianapolis Neighborhood Resource Center, Indianapolis Newspapers, Inc., The Indianapolis Recorder, Marion County Commission on Youth, Youth and Family Services, WISH-TV, and WTLC and WTPI Radio Stations.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Coughenour asked for a point of special privilege to introduce David and Karen Arland and their new baby Catherine Elizabeth.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 604, 1994. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE adding Consortium Foundation, Inc. and Redevelopment/Revitalization of the Southside Community to the list of eligible neighborhood development corporations for sales and grants of real property"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 605, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the County General Fund in the amount of \$175,000 for the County Sheriff to pay for inmate food and housing through the end of 1994 financed by unappropriated revenues in the County General Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 606, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Deferral Program Fee Fund in the amount of \$242,057 for the County Auditor, County Sheriff, Presiding Judge of the Municipal Court and the Prosecuting Attorney financed by

Moving Traffic Deferral Fees collected for the period between March and August 1994"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 607, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the State and Federal Grants Fund in the amount of \$6,812 to utilize an increase in the Family Social Services Administration grant for fiscal year 1994-94 which provides Adult Protective Services through the Prosecuting Attorney financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 608, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Drug Free Community Fund in the amount of \$43,900 to pay county employee salaries and fringes rather than contractors by the Marion County Justice Agency financed by transferring other appropriations for that agency"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 609, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Drug Free Community Fund in the amount of \$20,038 to reimburse I-Challenge for its Executive Director's salary and fringes by the Marion County Justice Agency financed by transferring other appropriations for that agency"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 610, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Drug Free Community Fund in the amount of \$17,300 for the Court Administrator Agency to implement the Expedited Trial Case Program to reduce the jail population awaiting trial financed by unappropriated revenues in that fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 611, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Home Detention User Fee Fund in the amount of \$245,130 to fund staff positions, home detention equipment and office supplies for fiscal year 1994-95 for Community Corrections financed by unappropriated revenues from that fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 612, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing the provision of solid waste collection and disposal services for multi-family residences"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 613, 1994. Introduced by Councillor Beadling. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a traffic signal at Sunnyside Road and 79th Street (District 5)"; and the President referred it to the Capital Asset Management Committee.



PROPOSAL NO. 614, 1994. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing no parking restrictions on Capitol Avenue from Sixteenth Street to Twenty-first Street (District 22)"; and the President referred it to the Capital Asset Management Committee.

### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NOS. 619-621 1994. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on October 28, 1994." The Council did not schedule Proposal Nos. 619-621, 1994 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 619-621, 1994 were retitled REZONING ORDINANCE NOS. 139-141, 1994 and are identified as follows:

REZONING ORDINANCE NO. 139, 1994. 94-Z-101 DECATUR TOWNSHIP.  
COUNCILMANIC DISTRICT # 19.

5601 WEST THOMPSON ROAD (approximate address), INDIANAPOLIS.

PEARL M. MILHAUS, by James W. Beatty, requests the rezoning of 15.12 acres, being in the D-A District, to the D-4 classification to provide for single-family residential development.

REZONING ORDINANCE NO. 140, 1994. 94-Z-143 WARREN TOWNSHIP.  
COUNCILMANIC DISTRICT # 12.

10602 EAST 10TH STREET (approximate address), INDIANAPOLIS.

WASHINGTON PARK CEMETERY ASSOCIATION, by John W. Van Buskirk, requests the rezoning of 91.9 acres, being in the D-A and D-3 District, to the SU-10 classification to provide for a cemetery, mausoleum and related uses.

REZONING ORDINANCE NO. 141, 1994. 94-Z-146 WARREN TOWNSHIP.  
COUNCILMANIC DISTRICT # 10.

5780 EAST 25TH STREET (approximate address), INDIANAPOLIS.

CASEY-BERTRAM CONSTRUCTION requests the rezoning of 2 acres, being in the D-3 District, to the I-4-U classification to provide for construction of a corporate office for a construction business.

PROPOSAL NO. 622, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on October 28, 1994." The Council did not schedule Proposal No. 622, 1994 for hearing pursuant to IC 36-7-4-608. Proposal No. 622, 1994 was retitled REZONING ORDINANCE NO. 142, 1994 and is identified as follows:

REZONING ORDINANCE NO. 142, 1994. 94-Z-168 WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 18.

1384 COUNTRY CLUB ROAD (approximate address), INDIANAPOLIS.

COUNTRY POINTE DEVELOPMENT COMPANY, L.P., by Stephen D. Mears, requests the rezoning of 20.63 acres, being in the D-6(FF)(FW) Districts, to the D-4(FF)(FW) classification to provide for residential development.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 243, 1994. The proposal appropriates \$645,000 for the Sheriff to cover food expense for the jail inmates through the end of the year and to pay for inmate housing at the Riverside Community Corrections facility. Councillor Dowden asked for consent to postpone Proposal No. 243, 1994 until November 14, 1994. Consent was given.

PROPOSAL NO. 548, 1994. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 548, 1994 on September 29, 1994. The proposal is an appropriation from the Metropolitan Development General Fund in the amount of \$200,000 to pay for the development of the official reuse plan for Fort Benjamin Harrison financed by unappropriated revenues. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 7:56 p.m. There being no one present to testify, Councillor West moved, seconded by Councillor Brents, for adoption. Proposal No. 548, 1994 was adopted on the following roll call vote; viz:

27 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

1 NOT VOTING: Beadling

1 NOT PRESENT: Giffin

Proposal No. 548, 1994 was retitled FISCAL ORDINANCE NO. 95, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 95, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Two Hundred Thousand Dollars (\$200,000) in the Metropolitan Development General Fund for purposes of the Department of Metropolitan Development and reducing the unappropriated and unencumbered balance in the Metropolitan Development General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (j) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development to develop the official reuse plan for Fort Harrison.

SECTION 2. The sum of Two Hundred Thousand Dollars (\$200,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>METROPOLITAN DEVELOPMENT</u> <u>GENERAL FUND</u>
3. Other Services and Charges	<u>200,000</u>
TOTAL INCREASE	200,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>METROPOLITAN DEVELOPMENT</u> <u>GENERAL FUND</u>
Unappropriated and Unencumbered	
Metropolitan Development General Fund	<u>200,000</u>
TOTAL REDUCTION	200,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.



## SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 415, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 415, 1994 on August 31, 1994. The Council at its September 12, 1994 meeting voted to return the proposal to Committee for more discussion. The proposal, sponsored by Councillors Brents, Gilmer and Williams, amends the Code by deleting parking restrictions on Market Street between Capitol Avenue and Alabama Street, and adding new parking meters on Market Street between Capitol Avenue and Illinois Street and between Pennsylvania Street and Alabama Street (District 16). The Committee heard it again on October 19, 1994, and by an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Gilmer moved, seconded by Councillor Brents, for adoption. Proposal No. 415, 1994, as amended, was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT PRESENT: *Giffin*

Proposal No. 415, 1994, as amended, was retitled GENERAL ORDINANCE NO. 156, 1994 and reads as follows:

### CITY-COUNTY GENERAL ORDINANCE NO. 156, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-270, Parking prohibited during specified hours on certain days; Sec. 29-283, Parking meter zones designated; Sec. 29-266, Special parking privileges for certain persons or vehicles in certain locations; Sec. 29-267, Parking prohibited at all times on certain streets; and Sec. 29-295, Charges for parking.

### BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-270, Parking prohibited during specified hours on certain days, be, and the same is hereby, amended by the deletion of the following, to wit:

#### ON ANY DAY EXCEPT SATURDAY AND SUNDAYS

*from 1:00 a.m. to 6:00 p.m.*

Market Street, on the north side,  
from Capitol Avenue to Alabama Street

Market Street, on the south side,  
from Capitol Avenue to Alabama Street

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-283, Parking meter zones designated, be, and the same is hereby, amended by the addition of the following, to wit:

#### 30 MINUTES

Market Street, on the north side,  
from Delaware Street to Alabama Street

#### ONE HOUR

Market Street, on both sides,  
from Capitol Avenue to Illinois Street

November 1, 1994

Market Street, on both sides,  
from Pennsylvania Street to Delaware Street

SECTION 3. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-266, Special parking privileges for certain persons or vehicles in certain locations, be, and the same is hereby, amended by the addition of the following, to wit:

(a) Notwithstanding any prohibitions or restrictions elsewhere in this chapter upon parking or temporary stops applicable to the general public, the following persons or vehicles are hereby granted the special parking privileges set out in this section, at and within the locations designated:

- (7) Any privately owned vehicle used in transporting a person, who is a patron of the City Market, may park for one hour from 7:00 a.m. to 6:00 p.m. on any day in the following locations:

30 MINUTES

Market Street, on the north side,  
from Delaware Street to Alabama Street

ONE HOUR

Market Street, on both sides,  
from a point 114 feet east of Alabama Street  
to a point 114 feet west of New Jersey Street

Alabama Street, on the west side,  
from Ohio Street to Wabash Street

SECTION 4. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Sec. 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby, amended by the addition of the following, to wit:

Market Street, on the south side,  
from Delaware Street to Alabama Street

SECTION 5. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Sec. 29-295, Charges for parking, be, and same is hereby, amended by inserting the underlined text to read as follows:

The general rule in all areas to which this division shall be applicable, subject only to such specific exceptions as are set out elsewhere in this Code, shall be that the charge for parking in any parking meter zone or space where a parking meter has been installed and is in operation shall be at the rate of seventy-five cents (\$0.75) per hour for one hour and two hour meter zones, and fifty cents (\$0.50) per half hour for thirty minute meter zones for the maximum period of time applicable to each meter location.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 573, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 573, 1994 on October 24, 1994. The proposal is an appropriation from the County General Fund in the amount of \$75,000 for technical assistance for maintaining service levels for the Information Services Agency (ISA) financed by transferring other appropriations for that agency. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Short, for adoption.

Councillor Williams asked if ISA is going to be privatized. Councillor Rhodes said he did not know--he had not been briefed on this subject. Councillor Curry said that RFQ's (Request for Qualifications) have been issued. There is a multi-faceted committee looking into this matter. There have been no RFP's (Request for Proposals) issued.



Proposal No. 573, 1994 was adopted on the following roll call vote; viz:

23 YEAS: *Beadling, Borst, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

5 NAYS: *Black, Boyd, Brents, Gray, Williams*

1 NOT PRESENT: *Giffin*

Proposal No. 573, 1994 was retitled FISCAL ORDINANCE NO. 96, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 96, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Seventy-five Thousand Dollars (\$75,000) in the County General Fund for purposes of the Information Services Agency and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(k) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Information Services Agency to acquire technical assistance for maintaining service levels to its customers.

SECTION 2. The sum of Seventy-five Thousand Dollars (\$75,000) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>INFORMATION SERVICES AGENCY</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>75,000</u>
TOTAL INCREASE	75,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>INFORMATION SERVICES AGENCY</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	<u>75,000</u>
TOTAL REDUCTION	75,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 574, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 574, 1994 on October 24 and 31, 1994. The proposal, sponsored by Councillor Gilmer, determines the need to lease office space at Thomson Consumer Electronics, 600 North Sherman Drive, for the Department of Capital Asset Management's Asset Planning and Project Management Divisions. This is an effort to bring most of the Department of Capital Asset Management's engineering staff together at one location. By a 7-0 vote on October 31, 1994, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Gilmer, for adoption.

Councillor Moriarty Adams voiced her support of this proposal.

Proposal No. 574, 1994 was adopted on the following roll call vote; viz:

November 1, 1994

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT PRESENT: *Giffin*

Proposal No. 574, 1994 was retitled SPECIAL RESOLUTION NO. 76, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 76, 1994

A SPECIAL RESOLUTION determining the need to lease approximately 31,000 square feet of office space at Thomson Consumer Electronics, 600 North Sherman Drive, Indianapolis, IN 46201, for the Department of Capital Asset Management.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council, pursuant to IC 36-1-10-7, has investigated the conditions requiring the subject lease and hereby determines the lease of office space for the use of the Department of Capital Asset Management is necessary.

SECTION 2. The property located at 600 North Sherman Drive, Indianapolis, IN 46201, is owned by Thomson Consumer Electronics.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 575, 1994. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 575, 1994 on October 25, 1994. The proposal, sponsored by Councillors Borst, Hinkle and Rhodes, requests the Metropolitan Development Commission to initiate and adopt amendments to the Central Business District Zoning Ordinance to prohibit off-track betting facilities unless zoned as a special use (SU 44). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Hinkle, for adoption.

Councillor Mullin expressed his reservations concerning a special use as applied to this type of facility due to possible legal consequences.

Councillor West stated that SU 44 is legally in existence in all districts except the Central Business District. Councillor Franklin said that the Council cannot let legal consequences determine how it acts.

Councillor Rhodes said that he was told by Robert Elrod, General Counsel, that the Council could not initiate this ordinance but it had to request, as an elected body, the Metropolitan Development Commission, a non-elected body, to initiate this proposal. Councillor Rhodes believes that the Council should be able to direct the Commission. He finds fault with that section of the law.

The President explained that when unified government was formed there was great concern by the public on who would dominate planned land use. The law allows multiple appointments to the Commission so that no branch of local government could dominate land use. That is why one branch of government cannot direct the Commission on what it should do.



Councillor West said that he requested Mr. Elrod to draft a sample ordinance to prohibit off-track betting facilities in the Central Business District, and Mr. West said he will forward it to the Metropolitan Development Commission.

The President said that he has asked Councillor West and his Committee to look into how the variance boards operate. Councillor Williams remarked that no one knows how the members of the variance boards vote because they vote on little slips of paper. The members of the other boards vote in public.

Councillor Short asked for consent to abstain from voting on Proposal No. 575, 1994 due to a conflict of interest. Consent was given.

Proposal No. 575, 1994 was adopted on the following roll call vote; viz:

*25 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith, West, Williams*

*1 NAY: Mullin*

*2 NOT VOTING: Beadling, Short*

*1 NOT PRESENT: Giffin*

Proposal No. 575, 1994 was retitled COUNCIL RESOLUTION NO. 81, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 81, 1994

A COUNCIL RESOLUTION requesting the Metropolitan Development Commission to initiate and adopt amendments to the Central Business District Zoning Ordinance to prohibit off-track betting facilities unless zoned as a special use (SU 44).

WHEREAS, the City-County Council amended and the Metropolitan Development Commission approved amendments to zoning ordinances of Marion County establishing a special use (SU 44) for off-track pari mutuel wagering facilities, and

WHEREAS, the Council recommends that such satellite wagering facilities not be permitted in the Central Business District unless the site for such facility is zoned for that special use; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council requests the director of the Department of Metropolitan Development and the Metropolitan Development Commission to initiate and adopt amendments to the Central Business District Zoning Ordinance to prohibit off-track pari mutuel satellite wagering facilities in such district unless such site is rezoned for such special use (SU 44).

SECTION 2. The chairman of the Metropolitan Development Commission is requested to report the status of this request to the chairman of Metropolitan Development Committee of this Council on or before December 1994.

PROPOSAL NO. 576, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 576, 1994 on October 26, 1994. The proposal, sponsored by Councillor Franklin, is an appropriation from the County General Fund in the amount of \$1,100 to pay for a new computer for the Superior Court, Criminal Division, Room Five, financed by transferring other appropriations for that court. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do

November 1, 1994

pass. Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 576, 1994 was adopted on the following roll call vote; viz:

26 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West

0 NAYS:

2 NOT VOTING: Beadling, Williams

1 NOT PRESENT: Giffin

Proposal No. 576, 1994 was retitled FISCAL ORDINANCE NO. 97, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 97, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional One Thousand One Hundred Dollars (\$1,100) in the County General Fund for purposes of purchasing a new computer for the Superior Court, Criminal Division, Room Five, and reducing certain other appropriations for that court.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(jj) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Criminal Division, Room Five, to cover costs of a new computer.

SECTION 2. The sum of One Thousand One Hundred Dollars (\$1,100) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM FIVE</u>	<u>COUNTY GENERAL FUND</u>
4. Capital Outlay	1,100
TOTAL INCREASE	1,100

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM FIVE</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	1,100
TOTAL DECREASE	1,100

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 579, 1994. The proposal is an appropriation from the County General Fund in the amount of \$37,678 to pay for miscellaneous contractual amounts for the County Sheriff financed by transferring other appropriations for that department. Councillor Dowden asked for consent to postpone Proposal No. 579, 1994 until November 14, 1994. Consent was given.

OLD BUSINESS

The President said that last year the Council adopted a resolution urging the Indiana General Assembly to pass legislation adopting Daylight Saving Time. The Chamber of Commerce is going to take this matter to the state legislature this year.



Councillor Borst asked for consent to strike Proposal No. 591, 1994. Consent was given.

Councillor Ruhmkorff stated that at the September 28, 1994 Council meeting she requested that the Mayor's Office distribute a written report to all the Councillors within thirty days on the Mayor's Fellows Program, outlining where the Fellows are located and how much they are being paid. The report has never been distributed. Joseph Loftus, Deputy Mayor, said that he will make sure that the report is sent out this week.

### **ANNOUNCEMENTS AND ADJOURNMENT**

Councillor Beadling asked for a moment of silence in memory of the 68 people who were killed on American Eagle Flight 4184 on Monday, October 31, 1994.

The President said that the docketed agenda for this meeting of the Council has been completed, the Chair will now entertain motions for adjournment.

Councillor Boyd stated that he has been asked to offer the following motion for adjournment by Councillor Franklin in memory of Mrs. Doris Franklin Hall.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Mrs. Doris Franklin Hall. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the family advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:45 p.m.

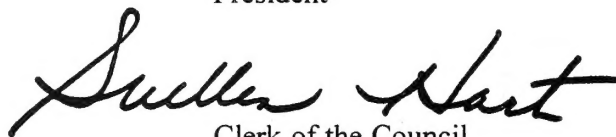
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 1st day of November, 1994.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Clerk of the Council

(SEAL)

**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, NOVEMBER 14, 1994**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:05 p.m. on Monday, November 14, 1994, with Councillor SerVaas presiding.

Councillor Curry led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*29 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

A quorum of twenty-nine members being present, the President called the meeting to order.

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Smith recognized former Councillor Ray Irwin. Councillor Beadling informed the Council that Harley Chapman, Sergeant-at-Arms, City-County Council, is in the hospital, and she wished him a speedy recovery. Councillor O'Dell introduced John Hay, Jr., Executive Director of the John H. Boner Community Center. Councillor O'Dell also introduced Deborah Smith, Franklin Township School Board member.

**OFFICIAL COMMUNICATIONS**

The President called for the reading of Official Communications. The Clerk read the following:



TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, November 14, 1994, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Beurt SerVaas  
President, City-County Council

November 2, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Friday, November 4, 1994, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal No. 585, 1994, to be held on Monday, November 14, 1994, at 7:00 p.m., in the City-County Building.

Respectfully,  
s/Suellen Hart  
Clerk of the City-County Council

November 4, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances and resolutions:

GENERAL ORDINANCE NO. 156, 1994 - amending the Code by deleting parking restrictions on Market Street between Capitol Avenue and Alabama Street, and adding new parking meters on Market Street between Capitol Avenue and Illinois Street and between Pennsylvania Street and Alabama Street (District 16)

FISCAL ORDINANCE NO. 95, 1994 - an appropriation from the Metropolitan Development General Fund in the amount of \$200,000 to pay for the development of the official reuse plan for Fort Benjamin Harrison financed by unappropriated revenues

FISCAL ORDINANCE NO. 96, 1994 - an appropriation from the County General Fund in the amount of \$75,000 for technical assistance for maintaining service levels for the Information Services Agency financed by transferring other appropriations for that agency

SPECIAL RESOLUTION NO. 73, 1994 - recognizing Andy Sims and the DPW Solid Waste Management Division

SPECIAL RESOLUTION NO. 74, 1994 - recognizing Raymond E. Gnat

SPECIAL RESOLUTION NO. 75, 1994 - recognizing the Indianapolis Adult Literacy Coalition's *Juvenile Violence: Kids and Crime* forum

SPECIAL RESOLUTION NO. 76, 1994 - determining the need to lease office space at Thomson Consumer Electronics, 600 North Sherman Drive, for the Department of Capital Asset Management's Asset Planning and Project Management Divisions

Respectfully,  
s/Stephen Goldsmith, Mayor

## **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

## **APPROVAL OF JOURNALS**

The President called for additions or corrections to the Journal of November 1, 1994. There being no additions or corrections, the minutes were approved as distributed.

## **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 616, 1994. This proposal, sponsored by Councillor Smith, recognizes the Franklin Township School Board. Councillor Smith read the resolution and presented copies of the document to the following school board members: Chris Wood, Rosalie Hawthorne, Phillip Ross, Peggy Skidmore and Deborah Smith. Ms. Hawthorne expressed appreciation for the recognition. Councillor Smith moved, seconded by Councillor West, for adoption. Proposal No. 616, 1994 was adopted by unanimous voice vote.

Proposal No. 616, 1994 was retitled SPECIAL RESOLUTION NO. 77, 1994 and reads as follows:

### **CITY-COUNTY SPECIAL RESOLUTION NO. 77, 1994**

A SPECIAL RESOLUTION recognizing the Franklin Township School Board.

WHEREAS, the mission of schools is education, and although most of the students are young people, Marion County's Franklin Township School Board has opted to take advantage of continuing educational opportunities offered by the Indiana School Boards Association; and

WHEREAS, through the opportunities that are presented by the Indiana School Boards Association, local school board members are provided training programs to support the effective discharge of their duties as leaders of public education in Indiana; and

WHEREAS, these programs use a variety of strategies to assist the board participants in broadening their knowledge regarding efficient and effective governance of public elementary and secondary education, institutes, conferences, workshops, seminars and retreats are some of the methods utilized in the delivery of this continuing self-improvement program for board members; and

WHEREAS, of the 289 public school boards in the state, only 15 have achieved the status of Outstanding School Board whereby a majority of the individuals on the local board have earned a Level One certification of 75 points; now, therefore:

### **BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Indianapolis City-County Council recognizes and commends the members of the Franklin Township School Board for achieving the Outstanding School Board status; namely: Chris Wood, Rosalie Hawthorne, Phillip Ross, Peggy Skidmore and Deborah Smith.

SECTION 2. The Franklin Township School Board demonstrates that education is a lifetime pursuit.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.



## **INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 624, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE authorizing tax anticipation borrowing for the City during the period from January 1, 1995 through December 31, 1995"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 625, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE authorizing tax anticipation borrowing for the County General Fund and the County Family and Children Fund during the period from January 1, 1995 through December 31, 1995"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 626, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which approves reductions in proposed expenditures since the adoption of the 1994 City-County Annual Budget in the amount of \$2,092,292"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 627, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which approves reductions in proposed expenditures since the adoption of the 1994 Police Special Service District Annual Budget in the amount of \$990,955"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 628, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which approves reductions in proposed expenditures since the adoption of the 1994 Fire Special Service District Annual Budget in the amount of \$330,914"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 629, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the County General Fund in the amount of \$16,826 for the County Coroner to fund unexpected "buy out" expenses of terminated employees necessitated by the agency's contracting out of forensic services financed by transferring other appropriations for that agency"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 630, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Property Reassessment Fund in the amount of \$8,107 for the Washington Township Assessor to place funds in the correct character for anticipated expenditures financed by transferring other appropriations for that agency"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 631, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the HUD Section 8 Special Revenue Fund in the amount of \$205,000 for the Department of Metropolitan Development, Public Housing Division, to hire additional staff and to purchase



the necessary office equipment financed by transferring other appropriations for that division"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 632, 1994. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Park General/Golf Fund in the amount of \$148,000 for the Department of Parks and Recreation, Golf Division, to make repairs to fuel pumps at eleven golf courses to meet EPA and OSHA requirements and to cover administrative costs incurred during 1993 and 1994 financed by transferring other appropriations for that division"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 633, 1994. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Park General Fund in the amount of \$40,000 for the Department of Parks and Recreation to make grants to various artists financed by the proceeds of the sale of the 'Snow Plow' sculpture"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 634, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the County General Fund in the amount of \$2,180 for the Superior Court, Criminal Division, Room Six, to cover 1994 outstanding supply bills and to purchase supplies for Judge Carr Darden's replacement financed by transferring other appropriations for that court"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 635, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the State and Federal Grants Fund in the amount of \$45,000 for the Marion County Public Defender Agency to cover the expenses of the pretrial release and sentencing resources project financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

Councillor Dowden moved to suspend the requirements of Sec. 151-76 of the Council Rules as to Proposal No. 635, 1994, and authorize the Clerk to advertise the same for public hearing before this Council at its meeting on December 12, 1994. This motion was seconded by Councillor Schneider, and passed by unanimous voice vote.

PROPOSAL NO. 636, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the County General Fund in the amount of \$36,600 for the Court Administrator Agency to pay the expenses associated with maintaining current materials for the Law Library and courts and to purchase computer equipment for the Jury Pool Coordinator's Office and General Term Reporter financed by transferring other appropriations for that agency"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 637, 1994 was withdrawn.

PROPOSAL NO. 638, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by



authorizing stop signs for the Maple Glen subdivision (District 24)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 639, 1994. Introduced by Councillor Gray. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing stop signs for Guion Lakes subdivision (District 9)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 640, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing stop signs for the Shadow Ridge subdivision (District 4)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 641, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls for Liberty Creek subdivision (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 642, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at the Moore Road and 88th Street (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 643, 1994. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at 13th Street and Downey Avenue (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 644, 1994. Introduced by Councillor Beadling. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at County Line Road East and 56th Street (District 5)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 645, 1994. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Waldemere Avenue and Chelsea Road (District 19)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 646, 1994. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Burke Street and Conaroe Street (District 19)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 647, 1994. Introduced by Councillor Jimison. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Layman Avenue, 40th Street and Ritter Avenue (District 14)"; and the President referred it to the Capital Asset Management Committee.



PROPOSAL NO. 648, 1994. Introduced by Councillor Gray. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code authorizing a multi-way stop at Arabian Run and West 48th Street (District 9)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 649, 1994. Introduced by Councillor Short. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing stop signs at Legrande Avenue and Hobart Road and at Legrande Avenue and Nolan Avenue (District 21)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 650, 1994. Introduced by Councillors O'Dell and Smith. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Ritter Avenue, Connection Avenue and Troy Avenue (Districts 13, 23)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 651, 1994. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Pennsylvania Street and 32nd Street (Districts 6, 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 652, 1994. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing parking restrictions for College Avenue, on the westside, from 11th Street to 700' north of 11th Street (District 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 653, 1994. Introduced by Councillor Shambaugh. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing parking restrictions on Bayhead Drive from 34th Street to 38th Street (District 8)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 654, 1994. Introduced by Councillor Golc. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing parking restrictions on Ohio Street, on the southside, from Bellview Place to Mount Street; and on Mount Street, on the westside, from Ohio Street to 215 feet south of Ohio Street (District 17)"; and the President referred it to the Capital Asset Management Committee.

The President said that he is concerned with the number of stop signs that are being authorized and asked the Capital Asset Management Committee to become more aware of that issue.

PROPOSAL NO. 655, 1994. Introduced by Councillors Hinkle, O'Dell, Moriarty Adams, Brents and Franklin. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION directing the Office of Youth and Family Services to use the \$700,000 in their budget to finance the operation of Community Centers of Indianapolis, Inc. for 1995"; and the President referred it to the Community Affairs Committee.



## **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 623, 1994. Councillor Borst reported that the Economic Development Committee heard Proposal No. 623, 1994 on November 3, 1994. The proposal is an Inducement Resolution for Post Pointe Partners, Ltd., an Indiana limited partnership, to proceed with the acquisition, construction, renovation, installation and equipping of the existing 362 unit multifamily residential rental project known as Post Pointe Apartments located at 9027 East 39th Place on approximately 21.63 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, renovation, construction and installation of various site improvements at the facility (District 14). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Smith, for adoption. Proposal No. 623, 1994 was adopted on the following roll call vote; viz:

*28 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

*0 NAYS:*

*1 NOT VOTING: Moriarty Adams*

Proposal No. 623, 1994 was retitled SPECIAL RESOLUTION NO. 78, 1994 and reads as follows:

### **CITY-COUNTY SPECIAL RESOLUTION NO. 78, 1994**

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or the proceeds of the revenue bond issue may be loaned to the Company and said facilities directly owned by the company;

WHEREAS, Post Pointe Partners, Ltd., an Indiana limited partnership (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities consist of the acquisition, construction, renovation, installation and equipping of the existing 362 unit multifamily residential rental project known as Post Pointe Apartments located at 9027 East 39th Place, Indianapolis, Indiana on approximately 21.63 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, renovation, construction and installation of various site improvements at the facility (the "Project");

WHEREAS, the diversification of industry and the retention of opportunities for gainful employment (nineteen (19) jobs at the end of one year and three years plus the creation of a construction job payroll over the renovation period) and the creation of business opportunities to be achieved by the acquisition, construction, renovation, installation and equipping of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, having received the advice of the Indianapolis Economic Development Commission, it would appear that the financing of the Project would be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, the acquisition, construction, renovation, installation and equipping of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; now, therefore:



November 14, 1994

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the retention and creation of opportunities for gainful employment within the jurisdiction of the Issuer, is desirable, serves a public purpose, and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the retention and creation of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed Six Million Eight Hundred Thousand Dollars (\$6,800,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, construction, renovation, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, construction, renovation, installation and equipping of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, renovation, installation and equipping of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires May 31, 1995, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) if applicable, the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the date which is sixty (60) days prior to the adoption of this resolution, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the same purpose. Also certain indirect expenses incurred prior to such date will be permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (TD 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Section 1.150-2.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 656-664, 1994. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on November 10, 1994." The Council did not schedule Proposal Nos. 656-664, 1994 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 656-664, 1994 were retitled REZONING ORDINANCE NOS. 143-151, 1994 and are identified as follows:



REZONING ORDINANCE NO. 143, 1994. 94-Z-119 (Corrected) PERRY TOWNSHIP.  
COUNCILMANIC DISTRICT # 24.

3603 SOUTH SHERMAN DRIVE (approximate address), BEECH GROVE.  
APEX OIL COMPANY, INC., by James W. Beatty, requests the rezoning of 99.7 acres, being in the D-6(FF)(FW), D-A(FF)(FW) and D-P(FF)(FW) Districts, to the D-3(FF)(FW) classification to provide for a single-family subdivision development.

REZONING ORDINANCE NO. 144, 1994. 94-Z-118 PIKE TOWNSHIP,  
COUNCILMANIC DISTRICT # 1.

4930 and 4942 LAFAYETTE ROAD (approximate address), INDIANAPOLIS.  
L.M. LURIE ASSOCIATES, INC. by David R. Warshauer, requests the rezoning of 2.85 acres, being in the D-4 District, to the C-4 classification to provide for commercial development.

REZONING ORDINANCE NO. 145, 1994. 94-Z-151 (Amended) WASHINGTON TOWNSHIP.  
COUNCILMANIC DISTRICT # 4.

4704 EAST 62ND STREET (approximate address), INDIANAPOLIS.  
JOHN L. RYBOLT requests the rezoning of 1.85 acres, being in the D-A(FF) and D-3(FF) Districts, to the D-5(FF) classification to provide for the development of three two-family residences.

REZONING ORDINANCE NO. 146, 1994. 94-Z-156 FRANKLIN TOWNSHIP.  
COUNCILMANIC DISTRICT # 23.

6802 EAST SOUTHPORT ROAD (approximate address), INDIANAPOLIS.  
MAINSTAY, INC., by Philip A. Nicely, requests the rezoning of 45.49 acres, being in the D-A(FF) Districts, to the D-2(FF) classification to provide for a single-family residential subdivision development, utilizing the cluster option.

REZONING ORDINANCE NO. 147, 1994. 94-Z-158 (Amended) WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 18.

1055 NORTH GIRLS SCHOOL ROAD (approximate address), INDIANAPOLIS.  
HOPE BAPTIST CHURCH requests the rezoning of 3.18 acres, being in the C-1 District, to the SU-1 classification to provide for the placement of a modular office unit to be used as classroom space for an existing church.

REZONING ORDINANCE NO. 148, 1994. 94-Z-161 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 15.

2301 and 2303 EAST 10TH STREET (approximate address), INDIANAPOLIS.  
GARY C. BALL requests the rezoning of 0.253 acre, being in the C-2 District, to the C-3 classification to provide for neighborhood commercial uses.

REZONING ORDINANCE NO. 149, 1994. 94-Z-164 PERRY TOWNSHIP.  
COUNCILMANIC DISTRICT # 24.

3504 DEVELOPERS ROAD (approximate address), INDIANAPOLIS.  
DONALD KOSTEN and CHOICE INNS, INC., by C. Warren Nerz, request the rezoning of 3.5 acres, being in the D-4 and C-4 Districts, to the C-ID classification to provide for a motor distribution operation.

REZONING ORDINANCE NO. 150, 1994. 94-Z-172 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 16.

2645, 2653 NORTH HARDING STREET and  
1373 WEST 27TH STREET (approximate address), INDIANAPOLIS.  
RAINBOW OF HOPE, INC., by Joseph D. Calderon, requests the rezoning of 0.33 acre, being in the C-3 and D-5 Districts, to the SU-7 classification to provide for transitional housing for families and related services for the residents of the facility.

REZONING ORDINANCE NO. 151, 1994. 94-Z-174 WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 18.

2451 TANSEL ROAD (approximate address), INDIANAPOLIS.  
REPUBLIC DEVELOPMENT CORP., by James R. Nickels, requests the rezoning of 69.2 acres, being in the D-A(FF) District, to the D-3(FF) classification to provide for single-family residential subdivision development.

## SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NOS. 26 and 480, 1994. PROPOSAL NO. 26, 1994. The proposal appropriates \$10,913 for the Superior Court, Criminal Division, Room Five, to fund an additional clerk's position. PROPOSAL NO. 480, 1994. The proposal is an appropriation to purchase additional office supplies and computer equipment for the Superior Court, Criminal Division, Room Three, from the County General Fund in the amount of \$4,632 financed by revenues from that fund. Councillor Dowden asked for consent to postpone Proposal Nos. 26 and 480, 1994 until December 12, 1994. Consent was given.

PROPOSAL NO. 243, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 243, 1994 on October 12, 1994. The proposal appropriates \$470,000 for the Sheriff to cover food expense for the jail inmates through the end of the year and to pay for inmate housing at the Riverside Community Corrections facility. By a 6-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Ruhmkorff asked if the Sheriff has included this expense in his 1995 budget. Councillor Dowden answered in the negative. The President suggested that perhaps there will be some unencumbered funds at year-end in the Sheriff's budget that could be used to offset this expense. Councillor Dowden stated that Jack Borgerding, Chief Financial Officer for the Council, and Major Randy Hamilton, Administration Officer, Sheriff's Department, are working together to see if they can identify some unexpended funds.

Councillor Borst stated that he voted against this proposal in Committee and will vote against it again because he would like to vote on this appropriation at the last meeting of the year in case there are some fund balances found in the Sheriff's budget.

The President called for public testimony at 7:37 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 243, 1994, as amended, was adopted on the following roll call vote; viz:

*17 YEAS: Beadling, Brents, Curry, Dowden, Giffin, Gilmer, Jimison, Moriarty Adams, Mullin, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

*12 NAYS: Black, Borst, Boyd, Coughenour, Franklin, Golc, Gray, Hinkle, Jones, McClamroch, Rhodes, Williams*

Proposal No. 243, 1994, as amended, was retitled FISCAL ORDINANCE NO. 98, 1994 and reads as follows:

### CITY-COUNTY FISCAL ORDINANCE NO. 98, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Four Hundred Seventy Thousand Dollars (\$470,000) in the County General Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (aa) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Sheriff to cover food expense for the jail



inmates through the end of the year and to pay for inmate housing at the Riverside Community Corrections facility.

SECTION 2. The sum of Four Hundred Seventy Thousand Dollars (\$470,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	470,000
TOTAL INCREASE	470,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	470,000
TOTAL REDUCTION	470,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

### SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 579, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 579, 1994 on October 26, 1994. The proposal is an appropriation from the County General Fund in the amount of \$37,678 to pay for miscellaneous contractual amounts for the County Sheriff financed by transferring other appropriations for that department. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 579, 1994 was adopted on the following roll call vote; viz:

24 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*  
5 NAYS: *Black, Franklin, Gray, McClamroch, Williams*

Proposal No. 579, 1994 was retitled FISCAL ORDINANCE NO. 99, 1994 and reads as follows:

#### CITY-COUNTY FISCAL ORDINANCE NO. 99, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Thirty-seven Thousand Six Hundred Seventy-eight Dollars (\$37,678) in the County General Fund for purposes of miscellaneous contractual amounts through remainder of 1994 for the County Sheriff and reducing certain other appropriations for that agency.

#### BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(aa) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Marion County Sheriff to pay miscellaneous contractual amounts through the remainder of 1994.

November 14, 1994

SECTION 2. The sum of Thirty-seven Thousand Six Hundred Seventy-eight Dollars (\$37,678) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>37,678</u>
TOTAL INCREASE	37,678

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	<u>37,678</u>
TOTAL REDUCTION	37,678

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

### **SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 549, 1994. Councillor Giffin reported that the Parks and Recreation Committee heard Proposal No. 549, 1994 on October 17 and November 3, 1994. The proposal amends the Revised Code to reflect the new organizational structure of the Department of Parks and Recreation. The new structure was explained in detail during the 1995 budget hearings. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Giffin moved, seconded by Councillor Shambaugh, for adoption.

Councillor Golc stated that at the Committee meeting he learned that about 60 jobs will be reclassified due to this reorganization. He asked what will be the net gain or loss as a result of this reclassification. Leon Younger, Director, Department of Parks and Recreation, replied that there are 246 full-time positions budgeted for 1995 and in 1994 there were 254. Fifty-eight people will be affected by the position changes.

Councillor Gray asked if the whole park system or only Eagle Creek Park receives the revenues from the restaurant at Eagle Creek Park. Mr. Younger replied that Eagle Creek Park receives the restaurant revenues. Eagle Creek Park has a gate admission and currently it is about 75% self-supporting.

Councillor Boyd asked if there will be any persons currently employed who will be unemployed as a result of the reorganization. Mr. Younger said that there is a potential that there will be six to seven people who will be unemployed. Councillor Boyd asked if the job descriptions have been rewritten so that persons who might ordinarily apply for those positions would not be eligible. Mr. Younger said that no positions were written that would make a person ineligible based on education requirements. In-house employees will be given first consideration.

Proposal No. 549, 1994, as amended, was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
1 NAY: *O'Dell*  
1 NOT VOTING: *Boyd*



Proposal No. 549, 1994, as amended, was retitled GENERAL ORDINANCE NO. 157, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 157, 1994

A PROPOSAL FOR A GENERAL ORDINANCE amending the Section of the Revised Code dealing with the powers, duties and organization of the Department of Parks and Recreation.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sec. 241-1 of the "Revised Code of the Consolidated City and County" be, and is hereby, amended by deleting the language stricken-through and adding the language underlined to read as follows:

Sec. 241-1. Department established.

Pursuant to IC 36-10-3-3 there is hereby established a department of parks and recreation for the park district pursuant to IC 36-3-5-4 subject to IC 36-3-4-23. The Department's official name will be Indianapolis Department of Parks and Recreation (a/k/a Indy Parks and Recreation).

SECTION 2. Sec. 241-13 of the "Revised Code of the Consolidated City and County" be, and is hereby, amended by deleting the language stricken-through and adding the language underlined to read as follows:

Sec. 241-13. Divisions.

The department of parks and recreation shall be composed of the following divisions:

- (1) ~~Support services~~ Neighborhood parks division.
- (2) ~~Financial services~~ Magnet parks division.
- (3) ~~Marketing services~~ Regional parks division.
- (4) ~~Recreation and special facilities~~ Quality recreation programs division.
- (5) ~~Natural resources~~ Resource development division.
- (6) ~~Golf services~~ Golf division.
- (7) ~~Eagle Creek~~ Support services division.

SECTION 3. Sec. 241-101 of the "Revised Code of the Consolidated City and County" be, and is hereby, amended by deleting the language stricken-through and adding the language underlined to read as follows:

Sec. 241-101. ~~Support Services~~ Neighborhood parks division.

The ~~support services~~ Neighborhood parks division shall:

- (1) ~~Provide management and support to the department~~ Establish and monitor baseline quality maintenance standards for all neighborhood parks;
- (2) ~~Provide support in areas of human resources and staff development, training, payroll administration, personnel policy and procedures, employee relations and labor negotiations~~ Implement an enhancement program to work with organized neighborhood entities to enhance their local park; and
- (3) ~~Provide to the department support in areas of purchasing and procurement, stock inventory and concessions management, and fleet management;~~ Provide every neighborhood the opportunity and responsibility to reclaim stewardship of their public spaces.
- (4) ~~Provide for the building and ground maintenance of parks and facilities within park district;~~

November 14, 1994

- ~~(5) Be responsible for the organization and implementation of a customer service operation, including the issuance of permits and centralized registration;~~
- ~~(6) Manage all aspects of the department's data processing systems; and~~
- ~~(7) Provide for the safety and security of all park and recreational facilities.~~

SECTION 4. Sec. 241-201 of the "Revised Code of the Consolidated City and County" be, and is hereby, amended by deleting the language stricken-through and adding the language underlined to read as follows:

Sec. 241-201. ~~Financial services~~ Magnet parks division.

The ~~financial services~~ magnet parks division shall:

- (1) ~~Be responsible for the preparation of the budget and fiscal ordinances, as well as financial planning and analysis~~ Generate significant opportunities for neighborhoods to utilize a park close in proximity to their home that have major amenities not available in a neighborhood park;
- (2) ~~Be responsible for the management of all aspects of the department's accounting and auditing systems, including the monitoring of all cash control systems~~ Generate sufficient fee revenue to help offset the cost of the enhanced programs and facilities; and
- (3) ~~Administer and coordinate the preparation of all contracts within the department;~~ Coordinate all amenities of the park from a resource management perspective to create additional positive, collaborative, and interactive synergies for program and customer satisfaction.

SECTION 5. Sec. 241-301 of the "Revised Code of the Consolidated City and County" be, and is hereby, amended by deleting the language stricken-through and adding the language underlined to read as follows:

Sec. 241-301. ~~Marketing services~~ Regional parks division.

The ~~marketing services~~ regional parks division shall; ~~provide for all marketing needs of the department, including public and media relations, printing, photography and research support and volunteer coordination.~~

- (1) Manage and operate Eagle Creek Park and Riverside Regional Park and any other parks which may be designated as Regional in nature;
- (2) Draw patrons from more than a county-wide demographic area and have a revenue enhancement focus; and
- (3) Create programs and events to provide leisure opportunities in a safe and enjoyable environment for all people.

SECTION 6. Sec. 241-401 of the "Revised Code of the Consolidated City and County" be, and is hereby, amended by deleting the language stricken-through and adding the language underlined to read as follows:

Sec. 241-401. ~~Recreation and special facilities~~ Quality recreation program division.

The ~~recreation and special facilities~~ Quality recreation program division shall:

- (1) ~~Be responsible for the organization and management of all recreation and family centers within the park district including aquatics coordination~~ Plan, develop, and provide community recreation opportunities for individuals, families, and groups of Indianapolis and Marion County of varied ages and backgrounds;
- (2) ~~Plan, develop and provide community recreational opportunities, leisure services and specialized athletic activities to all residents of the park district regardless of age, race, religion, sex or national origin~~ Organize activities that represent a wide range of offerings in sports, arts, play, social, environmental, self-improvement, travel, and more; and
- (3) ~~Provide and manage specialized sports facilities within the park district;~~ Offer quality recreation programs to those who seek to improve their lives and the greater community good, through



participation in physical, social and creative endeavors, regardless of their ability, economic status, or residence.

SECTION 7. Sec. 241-501 of the "Revised Code of the Consolidated City and County" be, and is hereby, amended by deleting the language stricken-through and adding the language underlined to read as follows:

Sec. 241-501. ~~Natural Resources~~ development division.

The ~~natural~~ resource development division shall:

- (1) ~~Manage all property and resources within the park district and oversee the administration of all grants; and~~ Coordinate all property transactions for the park district;
- (2) ~~Construct, design and plan parks for the park district.~~ Provide stewardship of natural resource areas within the park district;
- (3) Oversee the administration of all grants;
- (4) Manage the planning, designing and construction of parks and facilities and administer the capital improvement program and the resource development model; and
- (5) Develop and manage the Indianapolis Greenways System.

SECTION 8. Sec. 241-601 of the "Revised Code of the Consolidated City and County" be, and is hereby, amended by deleting the language stricken-through and adding the language underlined to read as follows:

Sec. 241-601. ~~The Golf services~~ division.

The golf ~~services~~ division shall: ~~be responsible for the maintenance, operation and programming of all municipal golf courses within the park district.~~

- (1) Create meaningful and enjoyable golfing opportunities for people of all ages and playing abilities;
- (2) Provide competitive playing conditions that meet customer expectations at fair market pricing;
- (3) Provide ancillary golf amenities like driving ranges, pro shops, golf carts, and concessions that meet quality standards; and
- (4) Ensure the golfing customer, the city of Indianapolis, and the golf operators are receiving value for dollars spent.

SECTION 9. Sec. 241-701 of the "Revised Code of the Consolidated City and County" be, and is hereby, amended by deleting the language stricken-through and adding the language underlined to read as follows:

Sec. 241-701. ~~Eagle Creek Support services~~ division.

The ~~Eagle Creek support services~~ division shall: ~~administer Eagle Creek Park with special emphasis on providing outdoor recreational activities.~~

- (1) Provide management and support to the department's lines of business;
- (2) Provide support in areas of human resources and staff development, training, payroll administration, personnel policy and procedures, employee relations and labor negotiations;
- (3) Provide for the building and grounds maintenance of parks and facilities within the park district;
- (4) Manage all aspects of the department's management information systems;
- (5) Provide for the safety and security of all park and recreation facilities;
- (6) Provide all marketing needs of the department, including public and media relations, printing, photography, market research, volunteer coordination, sponsorships, partnerships, and grants;

- (7) Provide a customer service operation which includes the issuance of permits and centralized registration;
- (8) Provide support in areas of purchasing, procurement, stock inventory and fleet management;
- (9) Be responsible for the preparation of the budget and fiscal ordinances, as well as financial planning and analysis;
- (10) Be responsible for the management of all aspects of the department's accounting and auditing systems, including the monitoring of all cash control systems; and
- (11) Administer and coordinate the preparation of all contracts within the department.

SECTION 10. (a) The expressed or implied repeal or amendment by this ordinance or any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

(b) An offense committed before the effective date of this ordinance, under any ordinance expressly or impliedly repealed or amended by this ordinance shall be prosecuted and remains punishable under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 11. Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the council adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 12. This ordinance shall be in full force and effect upon passage and compliance with IC 36-3-4-14.

PROPOSAL NOS. 608 and 609, 1994. Councillor Dowden discussed these two proposals together. PROPOSAL NO. 608, 1994. The proposal is an appropriation from the Drug Free Community Fund in the amount of \$43,900 to pay county employee salaries and fringes rather than contractors by the Marion County Justice Agency financed by transferring other appropriations for that agency. PROPOSAL NO. 609, 1994. The proposal is an appropriation from the Drug Free Community Fund in the amount of \$20,038 to reimburse I-Challenge for its Executive Director's salary and fringes by the Marion County Justice Agency financed by transferring other appropriations for that agency. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 608 and 609, 1994 on November 9, 1994. By a 4-2 vote, the Committee reported Proposal No. 608, 1994 to the Council with the recommendation that it do pass. By a 6-0 vote, the Committee reported Proposal No. 609, 1994 to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Franklin, for adoption.

Proposal No. 608, 1994 was adopted on the following roll call vote; viz:

21 YEAS: Black, Borst, Brents, Coughenour, Dowden, Franklin, Giffin, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, O'Dell, Rhodes, Schneider, Shambaugh, Short, Smith, West, Williams

8 NAYS: Beadling, Boyd, Curry, Gilmer, Gray, Mullin, Ruhmkorff, SerVaas

Proposal No. 608, 1994 was retitled FISCAL ORDINANCE NO. 100, 1994 and reads as follows:



CITY-COUNTY FISCAL ORDINANCE NO. 100, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Forty-three Thousand Nine Hundred Dollars (\$43,900) in the Drug Free Community Fund for purposes of the Marion County Justice Agency and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b) and (ee) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Marion County Justice Agency to pay salary and fringes to county employees rather than contractors, as was originally planned.

SECTION 2. The sum of Forty-three Thousand Nine Hundred Dollars (\$43,900) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>DRUG FREE COMMUNITY FUND</u>
1. Personal Services	40,000
<u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	3,900
TOTAL INCREASE	43,900

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>DRUG FREE COMMUNITY FUND</u>
3. Other Services and Charges	43,900
TOTAL DECREASE	43,900

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 609, 1994 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
2 NAYS: *Black, Gray*

Proposal No. 609, 1994 was retitled FISCAL ORDINANCE NO. 101, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 101, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Twenty Thousand Thirty-eight Dollars (\$20,038) in the Drug Free Community Fund for purposes of the Marion County Justice Agency and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b) and (ee) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Marion County Justice Agency to reimburse I-Challenge for its Executive Director's salary and fringes.

November 14, 1994

SECTION 2. The sum of Twenty Thousand Thirty-eight Dollars (\$20,038) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>DRUG FREE COMMUNITY FUND</u>
3. Other Services and Charges	<u>20,038</u>
TOTAL INCREASE	20,038

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>COUNTY AUDITOR</u>	<u>DRUG FREE COMMUNITY FUND</u>
1. Personal Services - fringes	3,600

<u>MARION COUNTY JUSTICE AGENCY</u>	
1. Personal Services	<u>16,438</u>
TOTAL DECREASE	20,038

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 589, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 589, 1994 on November 2, 1994. The proposal, sponsored by Councillor Black, amends the Code by authorizing a multi-way stop at Kingsley Drive and 49th Street (District 6). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Black, for adoption. Proposal No. 589, 1994 was adopted on the following roll call vote; viz:

29 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams  
0 NAYS:

Proposal No. 589, 1994 was retitled GENERAL ORDINANCE NO. 158, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 158, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18, Pg. 20	Kingsley Dr & 49th St	49th St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18, Pg. 20	Kingsley Dr & 49th St	None	All Stop



SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 614, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 614, 1994 on November 2, 1994. The proposal, sponsored by Councillor Williams, amends the Code by authorizing no parking restrictions on Capitol Avenue from Sixteenth Street to Twenty-first Street (District 22). This area is called the Methodist Corridor. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Gilmer moved, seconded by Councillor Williams, for adoption.

Councillor Gilmer introduced Bruce Melchert, Vice President of Governmental Affairs, Methodist Hospital. Mr. Melchert said that Methodist Hospital is committed to staying in this area. They have set up a revolving fund of \$700,000 for loans for people who are investing in a new home, and they are part of a project which is renovating 100 homes in the area.

Councillor Borst said he will not support this proposal because the meters will be removed from the street and replaced with a parking garage at 20th Street, which will be a big inconvenience to consumers.

Proposal No. 614, 1994, as amended, was adopted on the following roll call vote; viz:

*26 YEAS: Beadling, Black, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Ruhmkorff, SerVaas, Shambaugh, Short, Smith, West, Williams*  
*2 NAYS: Borst, Rhodes*  
*1 NOT VOTING: Schneider*

Proposal No. 614, 1994, as amended, was retitled GENERAL ORDINANCE NO. 159, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 159, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-283, Parking meter zones designated; Sec. 29-267, Parking prohibited at all times on certain streets; and Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-283, Parking meter zones designated, be, and the same is hereby, amended by the deletion of the following, to wit:

TWO HOURS

Capitol Avenue, on the east side, from a point 30 feet north of  
Sixteenth Street, north to a point 185 feet north of Sixteenth Street

Capitol Avenue, on the east side, from a point 450 feet north of  
Sixteenth Street, north to a point 30 feet south of Eighteenth Street

Capitol Avenue, on the east side,  
from Nineteenth Street to Twenty-first Street

Capitol Avenue, on the west side,

November 14, 1994

from a point 440 feet north of Sixteenth Street to Twenty-first Street

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby, amended by the deletion of the following, to wit:

Capitol Avenue, on the east side,  
from Eighteenth Street to Nineteenth Street

Capitol Avenue, on the west side, from Sixteenth Street  
to a point 440 feet north of Sixteenth Street

SECTION 3. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby, amended by the addition of the following, to wit:

Capitol Avenue, on both sides,  
from Sixteenth Street to Twenty-first Street

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

### ANNOUNCEMENTS AND ADJOURNMENT

Councillor McClamroch read an article in the *Indianapolis News* concerning Tony Hinkle, who plays football for Rose Hulman. Councillor McClamroch congratulated Councillor Hinkle, Tony's father.

The President said that the docketed agenda for this meeting of the Council has been completed, the Chair will now entertain motions for adjournment.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Evvie Louise Betty. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to her family advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:12 p.m.

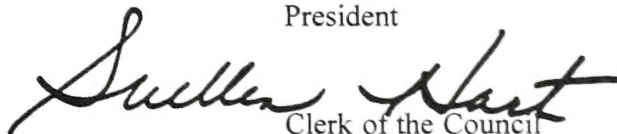
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 14th day of November, 1994.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Clerk of the Council

(SEAL)





**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, NOVEMBER 28, 1994**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:03 p.m. on Monday, November 28, 1994, with Councillor SerVaas presiding.

Councillor Moriarty Adams led the opening prayer and invited all present to join her in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*29 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

A quorum of twenty-nine members being present, the President called the meeting to order.

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Rhodes presented to Joan Romeril, County Recorder, the National Association of Indiana Counties' Outstanding Achievement Award for setting-up the document imaging system for Marion County.

Councillor Boyd introduced former Councillor Artricia Brown. Councillor Golc recognized Earline Moore, Executive Director, Community Centers of Indianapolis (CCI); Dr. Robert Burgbacher, Director, Mary Rigg Center; and Diane Arnold, Director, Hawthorne Community Center. Councillor Hinkle introduced Mary Stull, representative from Southwest Multi-Service Center.



Councillor Franklin recognized Henry Gaither, husband of former Councillor Beverly Mukes-Gaither, and Violet Gwenn, "Mayor of the Meadows."

### **OFFICIAL COMMUNICATIONS**

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, November 28, 1994, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Beurt SerVaas  
President, City-County Council

November 15, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, November 17, 1994, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 577, 578, 580, 581, 582, 583, 584, 624 and 625, 1994, to be held on Monday, November 28, 1994, at 7:00 p.m., in the City-County Building.

Respectfully,  
s/Suellen Hart  
Clerk of the City-County Council

November 17, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances and resolutions:

GENERAL ORDINANCE NO. 157, 1994 - amending the Revised Code to reflect the new organizational structure of the Department of Parks and Recreation

GENERAL ORDINANCE NO. 158, 1994 - amending the Code by authorizing a multi-way stop at Kingsley Drive and 49th Street (District 6)

GENERAL ORDINANCE NO. 159, 1994 - amending the Code by authorizing no parking restrictions on Capitol Avenue from Sixteenth Street to Twenty-first Street (District 22)

FISCAL ORDINANCE NO. 100, 1994 - an appropriation from the Drug Free Community Fund in the amount of \$43,900 to pay county employee salaries and fringes rather than contractors by the Marion County Justice Agency financed by transferring other appropriations for that agency

November 28, 1994

FISCAL ORDINANCE NO. 101, 1994 - an appropriation from the Drug Free Community Fund in the amount of \$20,038 to reimburse I-Challenge for its Executive Director's salary and fringes by the Marion County Justice Agency financed by transferring other appropriations for that agency

SPECIAL RESOLUTION NO. 77, 1994 - recognizing the Franklin Township School Board

SPECIAL RESOLUTION NO. 78, 1994 - an Inducement Resolution for Post Pointe Partners, Ltd., an Indiana limited partnership, to proceed with the acquisition, construction, renovation, installation and equipping of the existing 362 unit multifamily residential rental project known as Post Pointe Apartments located at 9027 East 39th Place on approximately 21.63 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, renovation, construction and installation of various site improvements at the facility (District 14)

Respectfully,  
s/Stephen Goldsmith, Mayor

### **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

### **APPROVAL OF JOURNALS**

The President called for additions or corrections to the Journal of November 14, 1994. There being no additions or corrections, the minutes were approved as distributed.

### **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS**

The President announced that Proposal No. 673, 1994 would be first on the agenda.

PROPOSAL NO. 673, 1994. This proposal, sponsored by Councillors Giffin, Boyd, McClamroch and SerVaas, recognizes Faye I. Mowery. Mayor Steve Goldsmith, Councillors SerVaas, McClamroch and Boyd all voiced their appreciation of Mrs. Mowery. Councillor Giffin read the resolution, and Mrs. Mowery expressed gratitude for the recognition. Councillor Giffin moved, seconded by Councillor Gilmer, for adoption. Proposal No. 673, 1994 was adopted by unanimous voice vote.

Proposal No. 673, 1994 was retitled SPECIAL RESOLUTION NO. 81, 1994 and reads as follows:

#### **CITY-COUNTY SPECIAL RESOLUTION NO. 81, 1994**

A SPECIAL RESOLUTION recognizing Faye I. Mowery.

WHEREAS, sixty years ago, in 1934, Roosevelt was President, the world had slid into the Great Depression, Art Deco was in style, the Indianapolis Council authorized the police department to buy six new cars—if the total bid came in less than \$7,600 and Faye I. Mowery became active in her community by working at the polls; and

WHEREAS, Mrs. Mowery carried on a strong tradition of her family since the earliest days of Southwestern Marion County by being enthusiastically involved in the Grand Old Party; and

WHEREAS, within the Party, she volunteered for almost all positions that exist, including poll worker, twenty years as a precinct committeeman, vice ward chairman, ward chairman, Decatur Township chairman, county vice chairman, the state central committee and as a delegate to five national conventions; and



WHEREAS, since 1970, Faye Mowery has served as Marion County Recorder, Auditor and Clerk, as well as serving capably as city Director of Personnel, city Director of Administration and service on the Airport Authority Board; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes Faye I. Mowery for a lifetime of dedication to her Party and to the people of Indianapolis.

SECTION 2. In this age of cynicism and criticism, the life of Faye Mowery stands as a beacon for citizens to do their civic duty by becoming involved in politics and government.

SECTION 3. Her many, many friends wish her well in her retirement years.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 671, 1994. This proposal, sponsored by Councillors Hinkle and Borst, recognizes the public service of David S. Gilman. Councillor Hinkle read the resolution and presented a copy of the document to Mr. Gilman, who expressed appreciation for the recognition. Also present was Mr. Gilman's mother. Councillor Hinkle moved, seconded by Councillor Borst, for adoption. Proposal No. 671, 1994 was adopted by unanimous voice vote.

Proposal No. 671, 1994 was retitled SPECIAL RESOLUTION NO. 79, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 79, 1994

A SPECIAL RESOLUTION recognizing the public service of David S. Gilman.

WHEREAS, David S. Gilman, a native of Hendricks County and a graduate of Indiana University, began working as a Senior Planner for the Indianapolis Department of Metropolitan Development on January 16, 1990; and

WHEREAS, later he was promoted to Development Petitions Manager to be in charge of processing petitions; and

WHEREAS, Mr. Gilman worked on the Address Guidelines and Standards for Indianapolis and Marion County, a major project that created the new more efficient system to assign addresses for the ultimate benefit of public safety, assessors, the U.S. Postal Service and citizens; and

WHEREAS, Mr. Gilman has, with patience, insight and understanding, successfully negotiated between petitioners and remonstrators in many large and often complicated zoning cases that required the coordination of many agencies, organizations and individuals; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the public service to the people of Indianapolis by David S. Gilman, and wish him well in the future.

SECTION 2. Mr. Gilman is a sports fan, enjoys rooting for the Indianapolis Colts, and will be long remembered in the City-County Building for his personal easy going nature, his generosity with a smile, and his willingness to go the extra mile to help people.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 672, 1994. This proposal, sponsored by Councillors Boyd and Jimison, commends and honors Chief of Police James D. Toler for his commitment to duty and his service to the citizens of Indianapolis and the nation. Councillor Boyd asked Dr. Katherine Gilkey, who is co-chairperson of the "Salute Committee," and members of the Salute Committee and the Indianapolis Police Athletic League (PAL Club) to join him at the podium. Councillor Boyd read the resolution and said that President SerVaas would present the resolution to Chief Toler at a dinner in the Chief's honor on December 8, 1994. Councillor Boyd moved, seconded by Councillor Jimison, for adoption. Proposal No. 672, 1994 was adopted by unanimous voice vote.

Proposal No. 672, 1994 was retitled SPECIAL RESOLUTION NO. 80, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 80, 1994

A SPECIAL RESOLUTION commending and honoring Chief of Police James D. Toler for his commitment to duty and his service to the citizens of Indianapolis and the nation.

WHEREAS, Chief of Police James D. Toler, having started his law enforcement career in 1963 as Probationary Patrolman, has continuously distinguished himself as he has risen through the ranks of Patrolman, Sergeant, Lieutenant, Major, and Captain to his present rank of Chief of Police, and

WHEREAS, during his more than thirty years in law enforcement Chief Toler has earned the respect of citizens, colleagues and peers and has been successful in functionally relating the work and image of the police department to community and neighborhood problems; and

WHEREAS, Chief Toler is a role model and champion for all the youth in our community, more especially those youth in our inner city; and

WHEREAS, friends and colleagues of Chief Toler will gather at the Indiana Convention Center on December 8, 1994, to salute the Chief and celebrate his presence in Indianapolis; and

WHEREAS, the entire net proceeds of the "Salute" will go to the Indianapolis Police Athletic League (PAL Club) as a fitting gesture and symbol of the Chief's continuing concern and interest in the youth of our city; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The citizens of Indianapolis, acting through their elected City-County Council, commend and honor Chief of Police James D. Toler for his commitment to duty and his continuing service to the citizens of Indianapolis and the nation.

SECTION 2. This body calls upon all citizens to renew their faith in that order which is borne out of citizen participation in the creation of law and the desire to see that law equally applied toward the oneness, happiness and general welfare of all.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 686, 1994. The proposal approves a schedule of regular council meetings for the year 1995. The President called for a vote on Proposal No. 686, 1994. Proposal No. 686, 1994 was adopted by unanimous voice vote.

Proposal No. 686, 1994 was retitled COUNCIL RESOLUTION NO. 82, 1994 and reads as follows:



CITY-COUNTY COUNCIL RESOLUTION NO. 82, 1995

A COUNCIL RESOLUTION approving a schedule of regular council meetings for the year 1995.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council hereby approves the following schedule of regular meetings for the year 1995:

- |                               |                                 |
|-------------------------------|---------------------------------|
| (1) Monday, January 09, 1995  | (11) Monday, June 26, 1995      |
| (2) Monday, January 23, 1995  | (12) Monday, July 17, 1995      |
| (3) Monday, February 13, 1995 | (13) Tuesday, August 01, 1995   |
| (4) Monday, February 27, 1995 | (14) Monday, August 28, 1995    |
| (5) Monday, March 20, 1995    | (15) Monday, September 11, 1995 |
| (6) Monday, April 10, 1995    | (16) Monday, September 25, 1995 |
| (7) Monday, April 24, 1995    | (17) Monday, October 16, 1995   |
| (8) Monday, May 08, 1995      | (18) Monday, October 30, 1995   |
| (9) Monday, May 22, 1995      | (19) Monday, November 20, 1995  |
| (10) Monday, June 12, 1995    | (20) Monday, December 11, 1995  |

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 665, 1994. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving the lease of the Marion County Healthcare Center"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 666, 1994. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the County General Fund in the amount of \$1,088 for the Superior Court, Criminal Division, Room Three, to pay for supplies through year-end 1994 financed by transferring other appropriations for that court"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 667, 1994. Introduced by Councillor Jimison. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the County General Fund in the amount of \$2,000 for the Superior Court, Criminal Division, Room One, to cover the cost of supplies and stamps for the balance of 1994 and to purchase a fax machine financed by transferring other appropriations for that court"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 668, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the County General Fund in the amount of \$8,000 for the Marion County Public Defender Agency to purchase new computers financed by transferring other appropriations for that agency"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 669, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing the name of the Department of Capital Asset Management to the Department of Engineering and

changing the name of the Board of Capital Asset Management to the Board of Engineering"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 670, 1994. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at Bancroft Avenue and Walnut Street (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 674, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the County General Fund in the amount of \$150,000 for the County Sheriff to fund the last payroll in 1994 financed by transferring appropriated funds from the Clerk of the Circuit Court"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 675, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the State and Federal Grants Fund in the amount of \$71,350 for the Superior Court, Criminal Division, Probation Department, to fund additional staff and computer equipment financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

Councillor Dowden moved to suspend the requirements of Sec. 151-76 of the Council Rules as to Proposal Nos. 674 and 675, 1994, and authorize the Clerk to advertise the same for public hearing before this Council at its meeting on December 12, 1994. This motion was seconded by Councillor Schneider, and passed by unanimous voice vote.

PROPOSAL NO. 676, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from the Sanitation General Fund in the amount of \$2,132,806 for the Department of Public Works (DPW), Storm and Wastewater Management Division, to cover unanticipated expenses related to the transition to contract management of the Advanced Wastewater Treatment facility financed by equal reductions in DPW's Maintenance Operations Division and Solid Waste Management Division"; and the President referred it to the Public Works Committee.

Councillor Coughenour moved to suspend the requirements of Sec. 151-76 of the Council Rules as to Proposal No. 676, 1994, and authorize the Clerk to advertise the same for public hearing before this Council at its meeting on December 12, 1994. This motion was seconded by Councillor Rhodes, and passed by unanimous voice vote.

PROPOSAL NO. 677, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which approves reductions in proposed expenditures since the adoption of the 1994 City-County Annual Budget in the amount of \$2,021,916 in the Department of Public Works' (DPW), Maintenance Operations Division and Solid Waste Management Division in support of increased expenditures in DPW's Storm and Wastewater Management Division related to unanticipated expenses in the transition to contract management of the Advance Wastewater Treatment facility"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 678, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation from



the Maintenance Operations General Fund and Consolidated County Fund in the amount of \$650,000 for the Department of Public Works, Maintenance Operations Division, to purchase capital equipment and supplies for the new customer service response team and the street and sewer maintenance area financed by transferring other appropriated funds from DPW's Maintenance Operations Division and Administration"; and the President referred it to the Public Works Committee.

### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NOS. 679-685, 1994. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on November 22, 1994." The Council did not schedule Proposal Nos. 679-685, 1994 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 679-685, 1994 were retitled REZONING ORDINANCE NOS. 152-158, 1994 and are identified as follows:

REZONING ORDINANCE NO. 152, 1994. 94-Z-165 (94-DP-6) WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 18.

6601 WEST 10TH STREET (approximate address), INDIANAPOLIS.  
SCM REAL ESTATE DEVELOPMENT CORPORATION, by Thomas Michael Quinn, requests the rezoning of 42.6 acres, being in the D-6 District, to the D-P classification to provide for a planned unit development with 104 detached single-family residential units and 128 two-story "Villas" and single-story "Garden" homes.

REZONING ORDINANCE NO. 153, 1994. 94-Z-169 (Amended) CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 9.

1005-1019 WEST 27TH STREET (approximate address), INDIANAPOLIS.  
REV. GEORGE WILLIAMSON requests rezoning of 0.69 acre, being in the D-5 and C-1 Districts, to the SU-1 classification to provide for an addition to an existing church.

REZONING ORDINANCE NO. 154, 1994. 94-Z-179 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 25.

1044-1050 DIVISION STREET (approximate address), INDIANAPOLIS.  
INDIANAPOLIS CAMPUS ENERGY, INC., by Robert C. Crews II, requests the rezoning of 0.223 acres, being in the D-5 District, to the I-3-U classification to provide for a chilled water production facility.

REZONING ORDINANCE NO. 155, 1994. 94-Z-180 PERRY TOWNSHIP.  
COUNCILMANIC DISTRICT # 24.

5079 EAST THOMPSON ROAD (approximate address), INDIANAPOLIS.  
CONTINENTAL REALTY AND DEVELOPMENT CO., INC., by Thomas Michael Quinn, requests the rezoning of 1.547 acres, being in the D-A District, to the C-4 classification to provide for multi-user commercial facility.

REZONING ORDINANCE NO. 156, 1994 94-Z-181 WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 17.

2002 SOUTH HOLT ROAD (approximate address), INDIANAPOLIS.  
MILITARY DEPARTMENT OF INDIANA requests the rezoning of 117.641 acres, being in the I-4-U District, to the SU-9 classification to provide for offices, warehousing, vehicle repair and maintenance associated with military uses.

REZONING ORDINANCE NO. 157, 1994. 94-Z-182 WASHINGTON TOWNSHIP.  
COUNCILMANIC DISTRICT # 2.

820 EAST 67TH STREET (approximate address), INDIANAPOLIS.  
INDIANAPOLIS ART CENTER, INC., by Andrew Z. Soshnick, requests the rezoning of 7.108 acres, being in the C-4(FW)(FF), D-9(FW)(FF), and D-4(FF) Districts, to the SU-7(FW)(FF) classification to provide for the continued use and expansion of the Indianapolis Art Center facilities and grounds.

REZONING ORDINANCE NO. 158, 1994. 94-Z-183 WARREN TOWNSHIP.  
COUNCILMANIC DISTRICT # 14.

10605 EAST 38TH STREET (approximate address), INDIANAPOLIS.



DAVIS DEVELOPMENT, L.P., by Thomas Michael Quinn, requests the rezoning of 10.164 acres, being in the D-6(FF) and D-7 Districts, to the D-5II(FF) classification to provide for single-family residential development.

### SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NOS. 577, 578, 580, 581, 582, 583, 584 and 585, 1994. Councillor Dowden asked for consent to vote on these eight fiscal ordinances together since they are all appropriations from the State and Federal Grants Fund. Consent was given. PROPOSAL NO. 577, 1994. The proposal is an appropriation from the State and Federal Grants Fund in the amount of \$44,830 for the continued operation of the Victim Assistance Program for the County Sheriff financed by a state grant. PROPOSAL NO. 578, 1994. The proposal is an appropriation from the State and Federal Grants Fund in the amount of \$22,119 for the continued operation of the Child Abuse Intervention Program for the County Sheriff financed by a state grant. PROPOSAL NO. 580, 1994. The proposal is an appropriation from the State and Federal Grants Fund in the amount of \$365,000 to pay for the continuation of a comprehensive traffic safety program in Marion County for the Prosecuting Attorney financed by a federal grant. PROPOSAL NO. 581, 1994. The proposal is an appropriation from the State and Federal Grants Fund in the amount of \$122,759 for the continuation of the Victim Witness Program through the Prosecuting Attorney financed by a state grant. PROPOSAL NO. 582, 1994. The proposal is an appropriation from the State and Federal Grants Fund in the amount of \$28,454 to pay for the continuation of Salvation Army's Domestic Violence Program through the Prosecuting Attorney financed by a state grant. PROPOSAL NO. 583, 1994. The proposal is an appropriation from the State and Federal Grants Fund in the amount of \$7,385 for the continuation of Adult Protective Services through the Prosecuting Attorney financed by a state grant. PROPOSAL NO. 584, 1994. The proposal is an appropriation from the State and Federal Grants Fund in the amount of \$109,094 to study sentencing alternatives for drunk drivers for the Prosecuting Attorney financed by a state grant. PROPOSAL NO. 585, 1994. The proposal is an appropriation from the State and Federal Grants Fund in the amount of \$521,656 for the Community Corrections Agency financed by a state grant for home detention services for the Juvenile Division of the Superior Court. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 577, 578, 580, 581, 582, 583, 584 and 585, 1994 on October 26, 1994. Proposal No. 584, 1994 was also heard on November 9, 1994. By unanimous votes, the Committee reported Proposal Nos. 577, 578, 580, 581, 582, 583 and 584, 1994 to the Council with the recommendation that they do pass. By a 4-3 vote, the Committee reported Proposal No. 585, 1994 to the Council with the recommendation that it do pass as amended.

The President called for public testimony at 7:56 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal Nos. 577, 578, 580, 581, 582, 583 and 584, 1994 were adopted on the following roll call vote; viz:

*28 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

*0 NAYS:*

*1 NOT VOTING: Golc*

Proposal No. 577, 1994 was retitled FISCAL ORDINANCE NO. 102, 1994 and reads as follows:



CITY-COUNTY FISCAL ORDINANCE NO. 102, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Forty-four Thousand Eight Hundred Thirty Dollars (\$44,830) in the State and Federal Grant Fund for purposes of the Marion County Sheriff to continue the Victim Assistance Program and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b) and (aa) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of continuing the Victim Assistance Program through the Marion County Sheriff Department.

SECTION 2. The sum of Forty-four Thousand Eight Hundred Thirty (\$44,830) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services (Fringes)	8,966
<u>COUNTY SHERIFF</u>	
1. Personal Services	<u>35,864</u>
TOTAL INCREASE	44,830

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>44,830</u>
TOTAL REDUCTION	44,830

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 578, 1994 was retitled FISCAL ORDINANCE NO. 103, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 103, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Twenty-two Thousand One Hundred Nineteen Dollars (\$22,119) in the State and Federal Grants Fund for purposes of the Marion County Sheriff for the continued operation of the Child Abuse Intervention Program and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b) and (aa) of the City-County Annual Budget for 1994 be, and is hereby, amended by the

November 28, 1994

increases and reductions hereinafter stated for purposes of continued operation of the Child Abuse Intervention Program through the Marion County Sheriff Department.

SECTION 2. The sum of Twenty-two Thousand One Hundred Nineteen (\$22,119) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services (Fringes)	4,423
<u>COUNTY SHERIFF</u>	
1. Personal Services	17,696
TOTAL INCREASE	22,119

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	22,119
TOTAL REDUCTION	22,119

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 580, 1994 was retitled FISCAL ORDINANCE NO. 104, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 104, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Three Hundred Sixty-five Thousand Dollars (\$365,000) in the State and Federal Grants Fund for purposes of a grant for the continuation of a comprehensive traffic safety program in Marion County and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b) and (x) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of a grant for the continuation of a comprehensive traffic safety program in Marion County through the Marion County Prosecuting Attorney.

SECTION 2. The sum of Three Hundred Sixty-five Thousand Dollars (\$365,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services (Fringes)	14,187



PROSECUTING ATTORNEY

1. Personal Services	43,463
2. Supplies	1,500
3. Other Services and Charges	282,300
4. Capital Outlay	<u>23,550</u>

TOTAL INCREASE 365,000

SECTION 4. The said additional appropriation is funded by the following reductions:

STATE AND FEDERAL GRANTS FUND

Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>365,000</u>
TOTAL REDUCTION	365,000

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 581, 1994 was retitled FISCAL ORDINANCE NO. 105, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 105, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional One Hundred Twenty-two Thousand Seven Hundred Fifty-nine Dollars (\$122,759) in the State and Federal Grants Fund for purposes of the annual appropriation for the Victim Witness Grant and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b) and (x) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the annual appropriation for the Victim Witness Grant through the Marion County Prosecuting Attorney.

SECTION 2. The sum of One Hundred Twenty-two Thousand Seven Hundred Fifty-nine Dollars (\$122,759) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

COUNTY AUDITOR

1. Personal Services (Fringes)

STATE AND FEDERAL GRANTS FUND

24,552

PROSECUTING ATTORNEY

1. Personal Services

98,207

TOTAL INCREASE 122,759

SECTION 4. The said additional appropriation is funded by the following reductions:

STATE AND FEDERAL GRANTS FUND

Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>122,759</u>
TOTAL REDUCTION	122,759

November 28, 1994

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 582, 1994 was retitled FISCAL ORDINANCE NO. 106, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 106, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Twenty-eight Thousand Four Hundred Fifty-four Dollars (\$28,454) in the State and Federal Grants Fund for purposes of the Marion County Prosecuting Attorney for the 1993-1994 and 1994-1995 Salvation Army Grant and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(x) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the 1993-1994 and 1994-1995 Salvation Army Grant through the Marion County Prosecuting Attorney.

SECTION 2. The sum of Twenty-eight Thousand Four Hundred Fifty-four Dollars (\$28,454) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>28,454</u>
TOTAL INCREASE	28,454

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANT FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>28,454</u>
TOTAL REDUCTION	28,454

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 583, 1994 was retitled FISCAL ORDINANCE NO. 107, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 107, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Seven Thousand Three Hundred Eighty-five Dollars (\$7,385) in the State and Federal Grants Fund for purposes of supplementing annual grant for Adult Protective Services and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.



BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b) and (x) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of supplementing annual grant for Adult Protective Services through the Marion County Prosecuting Attorney.

SECTION 2. The sum of Seven Thousand Three Hundred Eight-five Dollars (\$7,385) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services (Fringes)	1,477
 <u>PROSECUTING ATTORNEY</u>	
1. Personal Services	<u>5,908</u>
 TOTAL INCREASE	7,385

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>7,385</u>
TOTAL REDUCTION	7,385

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 584, 1994 was retitled FISCAL ORDINANCE NO. 108, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 108, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional One Hundred Nine Thousand Ninety-four Dollars (\$109,094) in the State and Federal Grants Fund for purposes of a grant to study sentencing alternatives for drunk drivers and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b) and (x) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Prosecutor to utilize a grant to study sentencing alternatives for drunk drivers.

SECTION 2. The sum of One Hundred Nine Thousand Ninety-four Dollars (\$109,094) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

November 28, 1994

MARION COUNTY AUDITOR

1. Personal Services, (Fringes)

STATE AND FEDERAL GRANTS FUND

18,675

PROSECUTING ATTORNEY

1. Personal Services

83,000

2. Supplies

750

3. Other Services and Charges

4,919

4. Capital Outlay

1,750

TOTAL INCREASE

109,094

SECTION 4. The said additional appropriation is funded by the following reductions:

STATE AND FEDERAL GRANTS FUND

Unappropriated and Unencumbered

State and Federal Grants Fund

109,094

TOTAL REDUCTION

109,094

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 585, 1994, as amended, was adopted by the following roll call vote; viz:

*25 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Dowden, Franklin, Giffin, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

*3 NAYS: Black, Curry, Mullin*

*1 NOT VOTING: Golc*

Proposal No. 585, 1994, as amended, was retitled FISCAL ORDINANCE NO. 109, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 109, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Five Hundred Twenty-one Thousand Six Hundred Fifty-six Dollars (\$521,656) in the State and Federal Grants Fund for purposes of the Community Corrections Agency, and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b) and (bb) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Community Corrections agency for purposes specified in a grant for the Superior Court, Juvenile Division.

SECTION 2. The sum of Five Hundred Twenty-one Thousand Six Hundred Fifty-six Dollars (\$521,656) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

COUNTY AUDITOR

1. Personal Services (Fringes)

STATE AND FEDERAL GRANTS FUND

50,136



COMMUNITY CORRECTIONS

1. Personal Services	195,566
3. Other Services and Charges	1,360
4. Capital Outlay	<u>274,594</u>
 TOTAL INCREASE	 521,656

SECTION 4. The said additional appropriation is funded by the following reductions:

STATE AND FEDERAL GRANTS FUND

Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>521,656</u>
TOTAL REDUCTION	521,656

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This appropriation is made on condition of compliance with the terms of Resolution No. 1, 1994 of the Community Corrections Advisory Board; and the auditor shall refuse to further encumber or pay the appropriations in event of non-compliance with such resolution.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 624 and 625, 1994. Councillor Rhodes asked for consent to discuss these two proposals together. Consent was given. PROPOSAL NO. 624, 1994. The proposal authorizes tax anticipation borrowing for the City during the period from January 1, 1995 through December 31, 1995. PROPOSAL NO. 625, 1994. The proposal authorizes tax anticipation borrowing for the County General Fund and the County Family and Children Fund during the period from January 1, 1995 through December 31, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal Nos. 624 and 625, 1994 on November 21, 1994. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 7:59 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor Coughenour, for adoption. Proposal No. 624, 1994 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Curry, Dowden, Franklin, Giffin, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
0 NAYS:  
2 NOT VOTING: *Coughenour, Golc*

Proposal No. 624, 1994 was retitled FISCAL ORDINANCE NO. 110, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 110, 1994

A PROPOSAL FOR A FISCAL ORDINANCE approving temporary tax anticipation borrowing, authorizing the City of Indianapolis ("City") to make temporary loans for the use of the Police General Fund, the Police Pension Fund, the Fire General Fund, the Fire Pension Fund and the Park General Fund during the period January 1, 1995, through December 31, 1995, in anticipation of current taxes levied in the year 1994 and collectible in the year 1995 ("Taxes"), authorizing the issuance of tax anticipation time warrants ("Warrants")

to evidence such loans; pledging and appropriating the Taxes to be received in such Funds to the payment of such Warrants, including the interest thereon; and fixing a time when this ordinance shall take effect.

WHEREAS, the Controller has represented and the City-County Council now finds:

- A. that there will be insufficient funds in the Police General Fund to meet the current expenses payable from such Fund prior to the June and December 1995 distributions of Taxes levied for such Fund, and the June and December 1995 distributions of Taxes to be collected for the Police General Fund will collectively amount to more than Thirty-three Million Nine Hundred One Thousand Two Hundred Fifty-nine Dollars (\$33,901,259) and the interest cost of making temporary loans for the Police General Fund;
- B. that there will be insufficient funds in the Police Pension Fund to meet the current expenses for the payment of pensions and benefits to retired members and dependents of deceased members and other death benefits payable from such Fund prior to the June and December 1995 distributions of Taxes levied for such Fund, and the June and December 1995 distributions of Taxes collected for the Police Pension Fund will collectively amount to more than Four Million Six Hundred Eighty-four Thousand Nine Hundred Eighty Dollars (\$4,684,980) and the interest cost of making temporary loans for the Police Pension Fund;
- C. that there will be insufficient funds in the Fire General Fund to meet the current expenses payable from such Fund prior to the June and December 1995 distributions of Taxes levied for such Fund, and the June and December 1995 distributions of Taxes to be collected for the Fire General Fund will collectively amount to more than Twenty-six Million Nine Hundred Fifty-one Thousand Twenty-three Dollars (\$26,951,023) and the interest cost of making temporary loans for the Fire General Fund; and
- D. that there will be insufficient funds in the Fire Pension Fund to meet the current expenses for the payment of pensions and benefits to retired members and dependents of deceased members and other death benefits payable from such Fund prior to the June and December 1995 distributions of Taxes levied for such Fund, and the June and December 1995 distributions of Taxes to be collected for the Fire Pension Fund will collectively amount to more than Four Million Two Hundred Twenty-nine Thousand Sixty-eight Dollars (\$4,229,068) and the interest cost of making temporary loans for the Fire Pension Fund; and
- E. that there will be insufficient funds in the Park General Fund to meet the current expenses for the payment of current expenses payable from such Fund prior to the June and December 1995 distributions of Taxes levied for such Fund, and the June and December 1995 distributions of Taxes to be collected for the Park General Fund will collectively amount to more than Twelve Million Six Hundred Seventy Thousand One Hundred Twenty-four Dollars (\$12,670,124) and the interest cost of making temporary loans for the Park General Fund; and

WHEREAS, a necessity exists for the making of temporary loans for these Funds in anticipation of Taxes for these Funds actually levied for the year 1994 and in the course of collection for the year 1995; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City is authorized to borrow on temporary loans for the use and benefit of the Police General Fund of the City in the maximum principal amount of Thirty-three Million Nine Hundred One Thousand Two Hundred Fifty-nine Dollars (\$33,901,259) in anticipation of Taxes for the Fund for the year 1995, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Police General Fund and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Police General Account from the June and December 1995 distributions of Taxes for the Police General Fund, to the Police General Fund, the 1995 Budget Payments of Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loan, and the Police General Fund, 1995 Budget Fund No. 160, Character 03, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on such principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 2. The City is authorized to borrow on temporary loans for the use and benefit of the Police Pension Fund of the City in the maximum principal amount of Four Million Six Hundred Eighty-four Thousand Nine Hundred Eighty Dollars (\$4,684,980) in anticipation of Taxes for the Fund for the year 1995, which loans shall



be evidenced by Warrants. The Warrants, including interest, shall be payable from the Police Pension Fund and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Police Pension Fund from the June and December 1995 distributions of Taxes for the Police Pension Fund, to the Police Pension Fund, the 1995 Budget Payments of Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loans, and the Police Fund, 1995 Budget Fund No. 810, Character 03, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 3. The City is authorized to borrow on temporary loans for the use and benefit of the Fire General Fund of the City in the maximum principal amount of Twenty-six Million Nine Hundred Fifty-one Thousand Twenty-three Dollars (\$26,951,023) in anticipation of Taxes for the Fund for the year 1995, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Fire General Fund and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Fire General Fund from the June and December 1995 distributions of Taxes for the Fire General Fund to the payment of the principal of the Fire General Fund, the 1995 Budget Payments of Temporary Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loan, and to the 1995 Budget Fund No. 161, Character 03, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 4. The City is authorized to borrow on temporary loans for the use and benefit of the Fire Pension Fund of the City in the maximum principal amount of Four Million Two Hundred Twenty-nine Thousand Sixty-eight Dollars (\$4,229,068) in anticipation of Taxes for the Fund for the year 1995, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Fire Pension Fund, and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Fire Pension Fund from the June and December 1995 distributions of Taxes for the Fire Pension Fund to the Fire Pension Fund, the 1995 Budget Payments of Temporary Loans (hereby created) for the payment of the principal of the Fire Pension Fund 1995 Budget Fund No. 811, Character 03, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 5. The City is authorized to borrow on temporary loans for the use and benefit of the Park General Fund of the City in the maximum principal amount of Twelve Million Six Hundred Seventy Thousand One Hundred Twenty-four Dollars (\$12,670,124) in anticipation of Taxes for the Fund for the year 1995, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Park General Fund and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the Park General Fund from the June and December 1995 distributions of Taxes for the Park General Fund to the payment of the principal of the Park General Fund, the 1995 Budget Payments of Temporary Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loan, and to the 1995 Budget Fund No. 170, Character 03, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 6. (a) All Warrants issued pursuant to this ordinance shall bear interest at the rate or rates, not to exceed a maximum rate of eight percent per annum, to be determined as provided in Section 7. The Warrants for each Fund may be issued in one series, designated Series 1995 Warrants ("Series 1995 Warrants") or in two series, designated Series A and Series B ("Series A Warrants" and "Series B Warrants", respectively). The Series 1995 Warrants for each Fund may be issued in an amount not to exceed the respective amounts set forth herein with interest thereon. The Series A Warrants for each Fund may be issued in an amount not to exceed the amount of the distribution of Taxes scheduled for June 1995 for that Fund. The Series B Warrants for each Fund may be issued in amount not to exceed the amount of the December 1995 distribution of Taxes for that Fund. All Series A Warrants shall mature and be payable not later than June 30, 1995. All Series B Warrants and Series 1995 Warrants shall mature and be payable not later than December 31, 1995. The Warrants shall be dated as of the date or dates of actual delivery of the respective Warrants.

(b) The interest rate on the Warrants will be determined as provided in Section 7. The Warrants are not subject to redemption prior to their respective maturity dates if sold at public sale and may be redeemed as set forth in the purchase agreement with The Indianapolis Local Public Improvement Bond Bank ("Bond Bank") if sold to it.

SECTION 7. (a) The Controller may sell the Warrants in one or more Series as set forth in Section 6 pursuant to either subsection (b) or (c) of this section. The Controller is hereby authorized and directed to have the



November 28, 1994

Warrants prepared, and the Mayor, Controller and Clerk are hereby authorized and directed to execute and attest the Warrants in the manner substantially set out in the form provided below.

(b) The Controller may sell any or all the Warrants to the Bond Bank pursuant to IC 5-1.4 on such terms and conditions as are consistent with this ordinance and mutually agreed to between the Controller and the Bond Bank. In the event of a sale of such Warrants to the Bond Bank, the Mayor, Controller and Clerk are authorized to execute a purchase agreement with the Bond Bank in an acceptable form and to do such other actions and execute such documents as may be required by the Bond Bank as a condition to the purchase of such Warrants.

(c) The Controller may sell any or all the Warrants at public sale. Prior to the sale of the Warrants at public sale, the Controller shall cause a notice of sale to be published twice, with the first publication at least fifteen days before the date of sale and the second publication at least three days before the sale date, in two newspapers of general circulation, printed in the English language and published in the City, as provided by IC 5-3-1. All bids at public sale for the Warrants shall be sealed and shall be presented to the Controller at his office, and all bids shall name the rate or rates of interest for the Warrants or portion thereof. If sold at public sale, the Warrants, or portion thereof bid for, shall be awarded to the bidder or bidders offering the lowest net interest cost to the City determined by computing the total interest on all Warrants and deducting any premium. Any premium shall be used solely for the repayment of the principal of and interest on the Warrants. No bid at public sale for less than par shall be considered, and the Controller shall have the right to reject any and all bids at public sale. The proper officers of the City are authorized to deliver the time Warrants to the purchaser or purchasers of the Warrants at public sale in one or more series in exchange for the agreed purchase price in immediately available funds. The Warrants may be delivered in one or more Series at one time or in parcels from time to time, pursuant to any agreements or understandings with respect to such delivery by and between the Controller and the purchaser of the Warrants at public sale.

SECTION 8. The Warrants shall be issued in substantially the following form (all blanks, including the appropriate amounts, date, statutory citations, and other data, to be properly completed prior to the execution and delivery thereof):

No. \_\_\_\_\_

Principal \$ \_\_\_\_\_

CITY OF INDIANAPOLIS  
TAX ANTICIPATION TIME WARRANT, SERIES 1995 \_\_\_\_  
( \_\_\_\_\_ [FUND] )

On the \_\_\_\_ day of \_\_\_\_\_, 1995, the City of Indianapolis ("City") in Marion County, Indiana promises to pay to [bearer] [The Indianapolis Local Public Improvement Bond Bank], at the office of the Marion County Treasurer, ex officio Treasurer of the City, the sum of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), or so much of the principal amount of this Warrant (set forth below) as shall have been advanced as shown in Exhibit A plus interest at the rate of \_\_\_\_% per annum on the amount advanced for the period of the advance, except that any advance in excess of the Maximum Cumulative Monthly Advance as shown on Exhibit B shall bear as a rate of \_\_\_\_% per annum. This Warrant shall be payable solely out of and from ad valorem property taxes levied in the year of 1994, and payable in the [first installment] [second installment] for the year 1995 ("Taxes"), which Taxes are now in course of collection for the \_\_\_\_\_ of the City, with which to pay general, current, operating expenses.

This Warrant is in the principal amount of \$ \_\_\_\_\_ evidencing a temporary loan in anticipation of the Taxes for the \_\_\_\_\_.

The temporary loan was authorized by an ordinance duly adopted by the City-County Council at a meeting thereof duly and legally convened and held on the \_\_\_\_ day of December, 1994, for the purpose of providing funds for the \_\_\_\_\_ of the City, in compliance with IC 36-3-4-22.

The consideration for this Warrant is a loan made to the City in anticipation of Taxes levied for the \_\_\_\_\_ of the City for the year of 1994, payable in the [first installment] [second installment] for the year 1995, and the Taxes so levied are hereby specifically appropriated and pledged to the payment of this Tax Anticipation Time Warrant.

It is hereby certified and recited that all acts, conditions, and things required to be done precedent to the authorization, preparation, complete execution and delivery of the warrants have been done and performed as provided by law.



IN WITNESS WHEREOF, the City of Indianapolis has caused the warrant to be signed in its corporate name by the manual or facsimile signature of the Mayor, and countersigned by the Controller of the City of Indianapolis, the corporate seal of the City to be hereunto affixed, and attested by the Clerk of the City of Indianapolis.

Dated this \_\_\_\_ day of \_\_\_\_\_, 1995.

CITY OF INDIANAPOLIS

By: \_\_\_\_\_  
Mayor, City of Indianapolis

COUNTERSIGNED

By: \_\_\_\_\_  
Controller, City of Indianapolis

ATTEST:

By: \_\_\_\_\_  
Clerk, City of Indianapolis

EXHIBIT A  
(Advances)

(to be placed on a separate page)

SECTION 9. The Warrants shall be executed in the name of the City by the manual or facsimile signature of the Mayor of the City, countersigned by the Controller of the City, the corporate seal of the City to be affixed thereto and attested by the Clerk of the City. The Warrants shall be payable at the office of the Marion County Treasurer, the ex officio City Treasurer, or the paying agent of the City. The Controller may pay costs of issuance of the Warrants from the proceeds thereof.

SECTION 10. In order to preserve the exclusion of interest on the Warrants from gross income for federal tax purposes under Section 103 of the Internal Revenue Code of 1986 as amended and in existence on the date of issuance of the Warrants ("Code") and as an inducement to purchasers of the Warrants, the City represents, covenants and agrees that:

(a) No person or entity other than the City or another state or local governmental unit will use proceeds of the Warrants other than as a member of the general public. Warrant proceeds shall be used exclusively for the purposes of the respective Funds.

(b) No portion of the payment of the principal of or interest on the Warrants will (under the terms of the Warrant, this ordinance or any underlying arrangement), directly or indirectly, be (i) secured by an interest in property used or to be used for a private business use or payments in respect of such property or (ii) derived from payments in respect of such property or borrowed money used or to be used for a private business use.

(c) No Warrant proceeds will be loaned to any person or entity other than another state or local governmental unit. No Warrant proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the Warrant proceeds.

(d) The City will not take any action nor fail to take any action with respect to the Warrants that would result in the loss of the exclusion from gross income for federal tax purposes on the Warrants pursuant to Section 103 of the Code, nor will the City act in any other manner which would adversely affect such exclusion.

(e) The City represents that it intends to qualify for the exception to the rebate requirement of Section 148(f) of the Code set forth in Section 148(f)(4)(B) of the Code. However, if the City does not qualify for such exception with regard to any of the Warrants the City will comply with the rebate requirement of Section 148(f) of the Code to the extent necessary to preserve the exclusion from gross income of interest on the Warrants and the Bond Bank obligations issued to purchase the Warrants for federal tax purposes.

(f) It shall not be an event of default under this ordinance, including without limitation subsections (a) through (e) of this Section, if the interest on any Warrants is not excludable from gross income for federal tax

purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Warrants.

SECTION 11. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 625, 1994 was adopted on the following roll call vote; viz:

27 YEAS: *Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

2 NOT VOTING: *Beadling, Gole*

Proposal No. 625, 1994 was retitled FISCAL ORDINANCE NO. 111, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 111, 1994

A PROPOSAL FOR A FISCAL ORDINANCE approving temporary tax anticipation borrowing, authorizing Marion County, Indiana ("County") to make temporary loans for the use of the County General Fund and the County Family and Children's Fund ("Funds") during the period from January 1, 1995, through December 31, 1995, in anticipation of current taxes levied in the year 1994 and collectible in the year 1995 ("Taxes"), authorizing the issuance of tax anticipation time warrants ("Warrants") to evidence such loans; pledging and appropriating the Taxes to be received in the Funds to the payment of such Warrants, including the interest thereon; and fixing a time when this ordinance shall take effect.

WHEREAS, the Auditor of the County has filed with the Mayor of the City of Indianapolis ("City") an estimate and statement showing the amount of money needed to pay current expenses from the County General Fund and the County Family and Children's Fund pending the receipt of Taxes actually levied in 1994 and in the process of collection in 1995, and the Mayor did make and enter of record a finding and the Auditor and the Mayor have requested the City-County Council of Indianapolis and of Marion County ("City-County Council") to authorize temporary borrowing to procure funds necessary for use by the Funds to pay the incidental expenses necessary to be incurred in connection with the issuance and sale of the Warrants;

WHEREAS, the City-County Council now finds that the request should be granted and:

- A. that there will be insufficient funds in the County General Fund to meet the current expenses payable from the County General Fund prior to the distributions of Taxes levied for such Fund, and the distributions of Taxes to be collected for the County General Fund will collectively amount to more than Seventy-one Million Nine Hundred Five Thousand Five Hundred Seventy-eight (\$71,905,578) and the interest cost of making temporary loans for the County General Fund; and
- B. that there will be insufficient funds in the County Family and Children's Fund to meet the current expenses payable from such Fund prior to the distributions of Taxes levied for such Fund, and the distributions of Taxes to be collected for the County Family and Children's Fund will collectively amount to more than Thirty-two Million Eight Hundred Thirty Thousand Ninety-one Dollars (\$32,830,091) and the interest cost of making temporary loans for the County Family and Children's Fund; and

WHEREAS, a necessity exists for the making of temporary loans for these Funds in anticipation of Taxes for these Funds actually levied for the year 1994 and in the course of collection for the year 1995; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Auditor of the County and the Mayor of the City are authorized to borrow in the name of the County on temporary loans for the use and benefit of the County General Fund of the County in the maximum principal amount of Seventy-one Million Nine Hundred Five Thousand Five Hundred Seventy-eight Dollars (\$71,905,578) in anticipation of Taxes for the Fund for the year 1995, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the County General Fund and there is hereby



appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the County General Fund from the June and December 1995 distributions of Taxes for the County General Fund, for the payment of the principal of the Warrants evidencing such temporary loan and the amount of interest on such principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 2. The Auditor of the County and the Mayor of the City are authorized to borrow on temporary loans for the use and benefit of the County Family and Children's Fund of the County in the maximum principal amount of Thirty-Two Million Eight Hundred Thirty Thousand Ninety-one Dollars (\$32,830,091) in anticipation of Taxes for the Fund for the year 1995, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the County Family and Children's Fund and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the County Family and Children's Fund from the June and December 1995 distributions of Taxes for the County Family and Children's Fund, to the County Family and Children's Fund for the payment of the principal of the Warrants evidencing such temporary loans and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 3. (a) All Warrants issued pursuant to this ordinance shall bear interest at the rate or rates, not to exceed a maximum rate of eight percent per annum, to be determined as provided in Section 4 and subsection (b). The Warrants for each Fund may be issued in one series, designated Series 1995 Warrants ("Series 1995 Warrants") or in two series, designated Series A and Series B ("Series A Warrants" and "Series B Warrants", respectively). The Series 1995 Warrants for each Fund may be issued in an amount not to exceed the respective amounts set forth herein with interest thereon. The Series A Warrants for each Fund may be issued in an amount not to exceed the amount of the distribution of Taxes scheduled for June 1995 for that Fund. The Series B Warrants for each Fund may be issued in amount not to exceed the amount of the December 1995 distribution of Taxes for that Fund. All Series A Warrants shall mature and be payable not later than on June 30, 1995. All Series B Warrants and Series 1995 Warrants shall mature and be payable not later than December 31, 1995. The Warrants shall be dated as of the date or dates of actual delivery of the respective Warrants.

(b) The interest rate on the Warrants will be determined as provided in Section 4. The Warrants are not subject to redemption prior to their respective maturity dates if sold at public sale and may be redeemed as set forth in the purchase agreement with The Indianapolis Local Public Improvement Bond Bank ("Bond Bank") if sold to it.

SECTION 4. (a) The Auditor may sell the Warrants in one or more series as set forth in Section 3 pursuant to either subsection (b) or (c) of this section. The Auditor is hereby authorized and directed to have the Warrants prepared, and The Board of Commissioners of the County ("Commissioners"), Mayor and Auditor are hereby authorized and directed to execute and attest the Warrants in the manner substantially set out in the form provided below.

(b) The Auditor may sell any or all the Warrants to the Bond Bank pursuant to IC 5-1.4 on such terms and conditions as are consistent with this ordinance and mutually agreed to between the Auditor and the Bond Bank. In the event of a sale of such Warrants to the Bond Bank, the Commissioners, the Mayor and Auditor are authorized to execute a purchase agreement with the Bond Bank in an acceptable form and to do such other actions and execute such documents as may be required by the Bond Bank as a condition to the purchase of such Warrants.

(c) The Auditor may sell any or all the Warrants at public sale. Prior to the sale of the Warrants at public sale, the Auditor shall cause a notice of sale to be published twice, with the first publication at least fifteen days before the date of sale and the second publication at least three days before the sale date, in two newspapers of general circulation, printed in the English language and published in the County, as provided by IC 5-3-1. All bids at public sale for the Warrants shall be sealed and shall be presented to the Auditor at his office, and all bids shall name the rate or rates of interest for the Warrants or portion thereof. If sold at public sale, the Warrants, or portion thereof bid for, shall be awarded to the bidder or bidders offering the lowest net interest cost to the County determined by computing the total interest on all Warrants and deducting any premium. Any premium shall be used solely for the repayment of the principal of and interest on the Warrants. No bid at public sale for less than par shall be considered, and the Auditor shall have the right to reject any and all bids at public sale. The proper officers of the County are authorized to deliver the time Warrants to the purchaser or purchasers of the Warrants at public sale in one or more series in exchange for the agreed purchase price in immediately available funds. The Warrants may be delivered in one or more series at one time or in parcels from time to time, pursuant to any agreements or understandings with respect to such delivery by and between the Auditor and the purchaser of the Warrants at public sale.

November 28, 1994

SECTION 5. The Warrants shall be issued in substantially the following form (all blanks, including the appropriate amounts, date, statutory citations, and other data, to be properly completed prior to the execution and delivery thereof):

No. \_\_\_\_\_

Principal \$ \_\_\_\_\_

MARION COUNTY  
TAX ANTICIPATION TIME WARRANT, SERIES 1995 \_\_\_\_  
(\_\_\_\_\_ FUND)

On the \_\_\_\_ day of \_\_\_\_\_, 1995, the Board of Commissioners of Marion County, Indiana ("County") promises to pay to [bearer] [The Indianapolis Local Public Improvement Bond Bank], at the office of the Marion County Treasurer the sum of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), or so much of the principal amount of this Warrant (set forth below) as shall have been advanced as shown in Exhibit A plus interest at the rate of \_\_\_\_% per annum on the amount advanced for the period of the advance, except that any advance in excess of the Maximum Cumulative Monthly Advance as shown on Exhibit B shall bear interest at the rate of \_\_\_\_% per annum. This Warrant shall be payable solely out of and from ad valorem property taxes levied in the year 1994, and payable from the [first installment] [second installment] for the year 1995 ("Taxes"), which Taxes are now in course of collection for the County \_\_\_\_\_ Fund, with which to pay general, current, operating expenses.

This Warrant is in the principal amount of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), evidencing a temporary loan in anticipation of the Taxes for the County \_\_\_\_\_ Fund.

The temporary loan was authorized by an ordinance duly adopted by the City-County Council at a meeting thereof duly and legally convened and held on the \_\_\_\_ day of \_\_\_\_\_, 1994, for the purpose of providing funds for the County \_\_\_\_\_ Fund, in compliance with IC 36-2-6.

The consideration for this Warrant is a loan made to the County in anticipation of Taxes levied for the County \_\_\_\_\_ Fund for the year of 1994, payable in the [first installment] [second installment] for the year 1995, and the Taxes so levied are hereby specifically appropriated and pledged to the payment of this Tax Anticipation Time Warrant.

It is hereby certified and recited that all acts, conditions, and things required to be done precedent to the authorization, preparation, complete execution and delivery of the warrants have been done and performed as provided by law.

IN WITNESS WHEREOF, The Board of Commissioners of Marion County, Indiana has caused the warrant to be signed in the corporate name of the County by the manual or facsimile signatures of the Commissioners, countersigned by the Mayor and attested by the Auditor and the corporate seal of The Board of Commissioners to be hereunto affixed.

Dated this \_\_\_\_ day of \_\_\_\_\_, 1995.

THE BOARD OF COMMISSIONERS OF  
MARION COUNTY, INDIANA

By: \_\_\_\_\_  
Commissioner

By: \_\_\_\_\_  
Commissioner

By: \_\_\_\_\_  
Commissioner

COUNTERSIGNED:

By: \_\_\_\_\_  
Mayor, City of Indianapolis



ATTEST:

By: \_\_\_\_\_  
Auditor, Marion County

EXHIBIT A  
(Advances)  
(to be placed on a separate page)

SECTION 6. The Warrants shall be executed in the name of the County by the manual or facsimile signatures of the Commissioners, countersigned by the Mayor of the City, the corporate seal of the County to be affixed thereto and attested by the Auditor of the County. The Warrants shall be payable at the office of the Marion County Treasurer, or the paying agent of the City. The Auditor may pay costs of issuance of the Warrants from the proceeds thereof.

SECTION 7. In order to preserve the exclusion of interest on the Warrants from gross income for federal tax purposes under Section 103 of the Internal Revenue Code of 1986 as amended and in existence on the date of issuance of the Warrants ("Code") and as an inducement to purchasers of the Warrants, the County represents, covenants and agrees that:

(a) No person or entity other than the County or another state or local governmental unit will use proceeds of the Warrants other than as a member of the general public. Warrant proceeds shall be used exclusively for the purposes of the respective Funds.

(b) No portion of the principal of or interest on the Warrant proceeds will (under the terms of the Warrant, this ordinance or any underlying arrangement), directly or indirectly, be (i) secured by an interest property used or to be used for a private business use or payments in respect of such property or (ii) derived from payments in respect of such property or borrowed money used or to be used for a private business use.

(c) No Warrant proceeds will be loaned to any person or entity other than another state or local governmental unit. No Warrant proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the Warrant proceeds.

(d) The County will not take any action nor fail to take any action with respect to the Warrants that would result in the loss of the exclusion from gross income for federal tax purposes on the Warrants pursuant to Section 103 of the Code, nor will the County act in any other manner which would adversely affect such exclusion.

(e) The County represents that it intends to qualify for the exception to the rebate requirement of Section 148(f) of the Code set forth in Section 148(f)(4)(B) of the Code. However, if the County does not qualify for such exception with regard to any of the Warrants, the County will comply with the rebate requirement of Section 148(f) of the Code to the extent necessary to preserve the exclusion from gross income of interest on the Warrants and the Bond Bank obligations issued to purchase the Warrants for federal tax purposes.

(f) It shall not be an event of default under this ordinance, including without limitation subsections (a) through (e) of this Section, if the interest on any Warrants is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Warrants.

SECTION 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

### **SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 361, 1994. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 361, 1994 on August 1, October 25, November 10 and November 22, 1994. The proposal, sponsored by Councillors McClamroch, Shambaugh and Short, recodifies and amends the Code, Article II, Administration and Enforcement, Chapter 8, Buildings and Construction. This proposal gives homeowners greater flexibility in working on their own premises. For most repair jobs on roofing, siding and windows, homeowners or contractors only have to notify the City building department--they do not have to purchase

a permit. Councillor West said that the City still could inspect those jobs, and registering with the City allows the inspection division to track faulty contractors. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor West moved that Proposal No. 361, 1994, as amended, be adopted.

Councillor Moriarty Adams asked what recourse would homeowners have against contractors who performed inferior work on their property. Councillor West responded that listed contractors obtain bonds in the amount of up to \$10,000 a year. Homeowners are entitled to inspections. All they have to do is call the Neighborhood and Development Division and ask for an inspection.

Councillor Smith voiced his support of Proposal No. 361, 1994, as amended, and moved the question. Councillor Beadling seconded this motion.

Councillor Golc said that he believes that this proposal is just as cumbersome for the homeowner and contractor as the present one. Councillor McClamroch said that it is difficult under existing law to know when a building permit is needed. This proposal states that a building permit is always needed except in the certain situations--and the exceptions are listed.

Councillor Smith's motion to move the question passed by a unanimous voice vote.

Proposal No. 361, 1994, as amended, was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
4 NAYS: *Black, Gilmer, Golc, Gray*

Councillor Gilmer asked for consent to explain his vote. Consent was given. Councillor Gilmer said he voted against this proposal because he believes the homeowner will be the loser due to the lack of regulation, but he hopes it works.

Councillor Williams asked for consent to explain her vote. Consent was given. Councillor Williams said she voted for this proposal because she was told that this would provide better inspections and more enforcement.

Proposal No. 361, 1994, as amended, was retitled GENERAL ORDINANCE NO. 160, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 160, 1994

A GENERAL ORDINANCE recodifying and amending Article II, Administration and Enforcement, Chapter 8, Buildings and Construction, of the Code of Indianapolis and Marion County, Indiana.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County" be, and is hereby amended to add a new Chapter 536 (which is a revision and recodification of Article II, Chapter 8, of the Code of Indianapolis and Marion County) that deletes the stricken-through text and inserts the underlined text to read as follows:



CHAPTER 536. BUILDINGS AND CONSTRUCTION

ARTICLE II. BUILDING PERMITS AND DESIGN AND SUPERVISION

Sec. ~~8-30~~ 536-201. When building permits required.

~~No person, partnership or corporation shall engage in any construction activity in the consolidated city unless a written building permit issued by the division of development services describing the activity has been obtained by and is in force relative to the person, partnership or corporation which is actually accomplishing, supervising accomplishment or is contractually responsible for accomplishment of the construction activity allowed by the building permit; provided, however, that a building permit shall not be required for:~~

- ~~(a) Ordinary maintenance and repair of a structure or building equipment, except as provided below in this section; or~~
- ~~(b) Construction activity other than that described in (a) above where the total value of labor and materials does not exceed five hundred dollars (\$500.00) except as provided below in this section; or~~
- ~~(c) Erection of any sign in those categories of signs described in section 8-330(c) of this chapter; or~~
- ~~(d) Connection, provision or use of temporary electrical power for on-site construction activity; or~~
- ~~(e) Installation of a single-phase electric circuit not exceeding sixty (60) amperes at a nominal 120/240 volts which is accomplished in connection with work in an existing one- or two-family residential structure which involves the installation, modernization, replacement, service or repair of a heating system, space heating equipment, cooling system, space cooling equipment, a water heater or a food waste disposer for which a building permit has been issued; or~~
- ~~(f) Construction of a structure which spans one hundred twenty (120) square feet or less of base area, is less than fifteen (15) feet in height, is not placed on or attached to a permanent foundation and does not contain an electrical power distribution system, heating system, space heating equipment, cooling system, or space cooling equipment; or~~
- ~~(g) Installation of household appliances such as window air conditioners, refrigerators, refrigerators with automatic icemakers, ranges, clothes washers, clothes dryers, dishwashers, food waste disposers and trash compactors in one- or two-family residential structures or apartment buildings when such installation does not include the installation of an electrical circuit; or~~
- ~~(h) Installation of thermal insulation; or~~
- ~~(i) Construction of a fence six (6) feet in height or less; or~~
- ~~(j) Installation, maintenance and repair of storm windows and other exterior windows designed and used as protection against severe weather; or~~
- ~~(k) Placement of a one-family factory constructed building not on a permanent foundation in a mobile home park licensed by the Indiana State Board of Health; or~~
- ~~(l) Initial connection or reconnection of plumbing to a mobile home not placed on a permanent foundation located in a mobile home park licensed by the Indiana State Board of Health; or~~
- ~~(m) Initial connection or reconnection of electric plug-in cable connections from a mobile home not placed on a permanent foundation to service equipment supplying electrical power in a mobile home park licensed by the Indiana State Board of Health; or~~
- ~~(n) Construction of an aboveground swimming pool thirty (30) inches or less deep and fifteen (15) feet or less at its widest points.~~

~~Relative to paragraphs (a) and (b) above, building permits shall be required for construction activity on either a structure or building equipment where the activity, if done improperly, is a potential health or safety hazard. Examples of construction activity relative to a structure which, if done improperly, would be a potential health or safety hazard include the construction or alteration of a chimney or venting system, stripping and~~

~~reapplication of roofing material; a change in exterior bulk or facade; the creation or cutting away of any load-bearing wall, partition or portion thereof; the addition of concentrated roof loading; the creation, removal or change of any required means of egress; rearrangement of parts of a structure affecting the exitway requirements; or a change of the use group, occupancy or structure type. Examples of construction activity relative to building equipment which, if done improperly, would be a potential health or safety hazard include installation, significant alteration or relocation of any water distribution system within a structure, gas distribution system within a structure, soil, waste, vent or similar piping; relocation of plumbing fixtures; installation or significant alteration of an electrical power distribution system; installation of heating system, space heating equipment, cooling system or space cooling equipment; installation of a hot water heater; or replacement of a hot water heater with one that is not identical as to temperature or pressure protection, venting arrangement and type of fuel or energy input. Provided further, construction activity for which a permit is required may be accomplished without a permit being then in force, notwithstanding what is stated hereinabove in section, where an emergency need for such construction activity occurs on a day when the office of the division of development services is not open for business and the person, partnership or corporation which has accomplished such construction applies for a building permit on the first day the office of the division of development services is open for business after the initiation of such construction activity.~~

(a) Permit required: No person, partnership or corporation shall engage in any construction activity in the consolidated city unless a written building permit issued by the neighborhood and development services division describing the activity has been obtained by and is in force relative to the person, partnership or corporation which is actually accomplishing, supervising accomplishment or is contractually responsible for accomplishment of the construction activity allowed by the building permit; provided, however, that :

(b) Exemptions for one and two family dwellings: With respect to one or two family residential structures the permit specified in subsection (a) shall not be required for:

- (1) Ordinary maintenance and repair of a structure where the work does not reduce performance or create additional health or safety risks as defined in section 8-12; or
- (2) Installation and replacement of fixtures attached to the walls or floors such as cupboards, cabinets, shelving, railings, tracks, wall and floor coverings, and doors; or
- (3) Installation, maintenance and repair of storm windows and other exterior windows designed and used as protection against severe weather; or
- (4) Replacement of prime windows (limited to like for like in a wall opening of the same dimensions which does not reduce the egress required by code provision existing at the time the building was constructed) so long as the listed contractor files a prescribed written notification form with the neighborhood and development services division prior to the commencement of such services; or a person who owns or is purchasing a residential structure on contract with intention to utilize the property for his or her own occupancy may likewise replace prime windows in such structure; or
- (5) Exterior repair or renovation of a masonry chimney above the roof line that does not reduce the size of the flue opening; or
- (6) Replacement of an existing roof so long as the listed contractor files a prescribed written notification form with the Division of Neighborhood & Development Services prior to the commencement of construction, that does not involve:
  - a. a change in roof configuration; or
  - b. a change in type of roof covering (e.g., tile roofing replacing asphalt shingles) that would increase the dead load on the structure; or
  - c. the replacement of basic structural members that support the roof (e.g., replacement of a rafter or more than 128 square feet of decking); or
  - d. the installation of heat-applied roofing material; or
  - e. a requirement for a certificate of appropriateness in a historical preservation district; or

Additionally, a person who owns or is purchasing a residential structure on contract with the intention to utilize the property for his or her own occupancy may affix without permit a layer of replacement



shingles to a single layer of existing shingles provided that a layer of shingles is not removed and provided that the total shingle-roof application is performed by the owner or contract purchaser with assistance only by non-compensated volunteers.

- (7) Gutter replacement or installation; or
- (8) Installation and replacement of exterior siding so long as the listed contractor files a prescribed written notification form with the Division of Neighborhood & Development Services prior to the commencement of construction; additionally, a person who owns or is purchasing a residential structure on contract with the intention to utilize the property for his or her own occupancy may attach without permit a layer of siding to the existing sheathing without removal of existing sheathing, provided that the total siding application is performed by the owner or contract purchaser assisted only by non-compensated volunteers; or
- (9) Attachment of window awnings to exterior walls where the awnings project not more than forty-eight (48) inches from any wall; or
- (10) Installation of thermal insulation; or
- (11) Installation of additional non-load bearing walls that do not result in the creation of sleeping rooms; provided however, permits are required (except as otherwise specifically exempted by provisions of this section) for electrical, heating and cooling, or plumbing work; or
- (12) Replacement of an attic fan, bathroom exhaust fan, range hood exhaust fan or whole house fan ; or
- (13) Construction of a fence in conformance with city zoning requirements and any necessary certificates of appropriateness in a historic district; or
- (14) Construction of an above ground swimming pool thirty (30) inches or less deep and fifteen (15) feet or less at its widest points; or
- (15) Construction of a deck where:
  - a. no part of the floor is more than thirty (30) inches above finished grade; and
  - b. there is compliance with the assessor notification requirement of section 536-215; or
- (16) Erection of retaining walls which are not over four feet in height measured from the lowest finished grade to the top of the wall, unless the walls are supporting a surcharge or used as a dike to impound flammable or combustible liquids or products that pose a health or safety risk (e.g., corrosives, oxidizers, poisons); or
- (17) Construction of a structure which spans one hundred twenty (120) square feet or less of base area, is less than fifteen (15) feet in height, is not placed on or attached to a permanent foundation and does not contain an electrical power distribution system, heating system, space heating equipment, cooling system, or space cooling equipment; or
- (18) Ordinary maintenance and repair of building equipment where the work does not reduce performance or create additional safety or health risks; or
- (19) Installation of a single-phase electric circuit not exceeding sixty (60) amperes at a nominal 120/240 volts which involves the installation, modernization, replacement, service or repair of a heating system, space heating equipment, cooling system, space cooling equipment, a water heater or a food waste disposer for which a building permit has been issued; or
- (20) Installation of household appliances such as window air conditioners, refrigerators, refrigerators with automatic icemakers, ranges, clothes washers, clothes dryers, dishwashers, food waste disposers and trash compactors when such installation does not include the installation of an electrical circuit; or
- (21) Repairs in kind on parts of a plumbing system involving the same performance specifications and capacity, including plumbing fixtures, appliances, piping (but not more than twenty percent (20%) of all piping in the structure), valves, and traps; or

- (22) Replacement of a water heater with one that is identical as to venting arrangement and type of fuel or energy input; or
- (23) Extension of heating or cooling duct work ; or
- (24) Placement of a one-family factory constructed building not on a permanent foundation in a mobile home park licensed by the Indiana State Department of Health; or
- (25) Initial connection or reconnection of plumbing to a mobile home not placed on a permanent foundation located in a mobile home park licensed by the Indiana State Department of Health; or
- (26) Erection of real estate signs advertising real estate for sale or for rent, provided such signs do not exceed twenty-five (25) square feet in area in conformance with the size provisions of the "sign ordinance"; or
- (27) Connection, provision or use of temporary electrical power for on-site construction activity; or
- (c) Exemption for commercial construction. With respect to commercial structures, the permits specified in subsection (a) shall not be required for:
  - (1) Ordinary maintenance and repair of a structure where the work does not reduce performance or create additional safety or health risks as defined in section 8-12; or
  - (2) Installation, maintenance and repair of storm windows and other exterior windows designed and used as protection against severe weather; or
  - (3) Attachment of window awnings to exterior walls where the awnings project to more than forty-eight (48) inches from any wall; or
  - (4) Painting, papering and similar finish work; or
  - (5) Installation of movable cases, counters and partitions not over sixty-nine (69) inches high; or
  - (6) Construction or installation of temporary motion picture, television and theater stage sets and scenery; or
  - (7) Installation of thermal insulation; or
  - (8) Construction of a fence in conformance with city zoning requirements and any necessary certificates of appropriateness in a historic district; or
  - (9) Construction of an above ground swimming pool thirty (30) inches or less deep and fifteen (15) feet or less at its widest points; or
  - (10) Construction of platforms, walks and driveways not more than thirty (30) inches above grade and not over any basement or story below; or
  - (11) Installation of water tanks supported directly upon grade if the capacity does not exceed five thousand (5,000) gallons and the ratio of height to diameter or width does not exceed two (2) to one (1); or
  - (12) Erection of oil derricks; or
  - (13) Erection of retaining walls which are over four feet in height measured from the lowest finished grade to the top of the wall, unless the walls are supporting a surcharge or used as a dike to impound flammable or combustible liquids or products that pose a health or safety risk (e.g., corrosives, oxidizers, poisons); or
  - (14) Construction of a structure which spans one hundred twenty (120) square feet or less of base area, is less than fifteen (15) feet in height, is not placed on or attached to a permanent foundation and does not contain an electrical power distribution system, heating system, space heating equipment, cooling system, or space cooling equipment; or
  - (15) Erection of any sign in those categories of signs described in section 8-330 (c) of this chapter; or



- (16) Ordinary maintenance and repair of building equipment where the work does not reduce performance or create additional safety or health risks; or
- (17) Connection, provision or use of temporary electrical power for on-site construction activity; or
- (18) Installation of household appliances such as window air conditioners, refrigerators, refrigerators with automatic icemakers, ranges, clothes washers, clothes dryers, dishwashers, food waste disposers and trash compactors in apartment buildings when such installation does not include the installation of an electrical circuit; or
- (19) Repair in kind on parts of a plumbing system involving the same performance specifications and capacity, including plumbing fixtures, appliances, piping (but not more than twenty percent (20%) of all piping in the structure), valves, and traps; or
- (20) Replacement of a water heater with one that is identical as to venting arrangement and type of fuel or energy input.

(d) Provisions in subsection (b) or (c) that exempt those engaged in certain construction activity from the obligation to secure a building permit do not affect the possible obligation to secure a certificate of appropriateness for construction either in an historic area designated by the Indianapolis Historic Preservation Commission or in the Meridian Street Preservation District designated by the Indiana Code. While a building permit may not be required, a certificate of appropriateness from the Commission may be required in such an area.

(e) With respect to construction activity which is exempted by subsection (b) from the permit required by subsection (a) only if the written notice is given by a listed contractor:

- (1) such written notice shall be given on the forms and in the manner prescribed by the administrator of neighborhood and development services;
- (2) commencement of such construction activity prior to the required written notice shall subject such activity to all the provisions and penalties of this chapter applicable to construction activity conducted without a required permit;
- (3) copies of the written notice shall be posted on the job site in the same manner required for permits issued under this chapter;
- (4) upon receipt of the written notice, the administrator shall notify the owner or occupant, who authorized such construction activity, of the right to an inspection of such activity by the division upon request of that owner or occupant;
- (5) the listed contractor shall notify the division of the completion of such construction activity in the same manner as required by sec. 536-301 for activity for which a permit is required; and
- (6) the listed constructor shall advise the division if such construction activity is not completed in 150 days after such written notice was given.

Sec. ~~8-31~~ 536-202. Eligibility to obtain and apply for a building permit.

(a) To obtain a building permit a person, partnership or corporation must meet the requirements of ~~and make application through a person possessing the qualifications stated in one of paragraphs (1) through (5) below~~ and must be the person, partnership or corporation which will either actually accomplish, supervise accomplishment or be contractually responsible for accomplishment of the construction activity allowed by the building permit:

- (1) Any person, partnership or corporation which is a listed contractor under Article IV, ~~Division 2 I~~ of this chapter 875 may:
  - a. obtain a building permit to accomplish any construction activity except work for which Articles II, III or IV ~~Division 3, 4 or 5~~ of this chapter 875 requires licensure or ~~Public Law 188 of the Acts of 1972, as amended, IC 25-28.5-1~~ requires a state license; or

b. obtain a master building permit under sections 536-203 and 536-204.

~~If the listed contractor is a person, application for a building permit must be made by that person. If the listed contractor is a partnership or corporation, application for a building permit must be made by an employee, partner or officer designated in a written document filed with the division of development services as having authority to act for that partnership or corporation.~~

- (2) Any person, partnership or corporation licensed under Articles II, III or IV Division 3, 4 or 5 of this chapter 875 may obtain a building permit solely to accomplish construction activity allowed by the license or type of license held by the person, partnership or corporation. ~~If the license holder is a person, application for a building permit must be made by that person. If the license holder is a partnership or corporation, application for a building permit must be made by an employee, partner or officer designated in a written document filed with the division of development services as having authority to act for that partnership or corporation and who himself holds a license or type of license which allows accomplishment of the construction activity stated in the building permit.~~
- (3) Any person or corporation registered under Article IV, V Division 6 of this chapter 875 may obtain a building permit solely to accomplish construction activity for which state licensure as a plumbing contractor is required. ~~If a person holding a state plumbing contractor license is registered under Article IV, Division 6 of this chapter, application for a building permit must be made by that person. If a corporation holding a state plumbing contractor license is registered, application for a building permit must be made either by the officer named in the state license or another officer or employee holding a plumbing contractor license.~~
- (4) Any person who is either a registered architect or registered engineer licensed to practice in the State of Indiana may obtain a building permit to accomplish any construction activity for which the approval of the Indiana department of fire ~~prevention~~ and building safety ~~commission~~ services, division of plan review is required and has been given. Such architect or engineer, however, may not obtain a building permit for work relative to which Articles II, III or IV Division 3, 4 or 5 of this chapter 875 requires a license. ~~Such architect or engineer must himself apply for the building permit which he is authorized to obtain.~~
- (5) Any person, partnership or corporation which owns, is a contract purchaser or is a long-term lessee of an improved or unimproved parcel of land which the person, partnership or corporation intends to utilize for its own purposes (e.g., permanent business location, place of residence, rental property that the owner is obligated to maintain) may obtain a building permit to accomplish construction activity on such parcel carried out through direct efforts of: ~~the person or direct efforts of employees or noncompensated volunteers of the person, partnership or corporation.~~

a. the person; or

b. one or more employees of the person, partnership or corporation (including temporary employees hired to do construction work); or

c. persons who volunteer to work on the construction activity and who are not compensated for their services.

Such a person, partnership or corporation may not obtain a building permit to wreck a structure for which Article IV, ~~Division 5~~ of chapter 875 requires licensure. Such a person, partnership or corporation may not obtain a building permit for work relative to which Public Law 188 of the Acts of 1972, as amended, IC 25-28.5-1 requires a state license. The requirements of section 8-200 ~~875-222~~ and section 8-230 ~~875-321~~ must be met for such a person, partnership or corporation to obtain a building permit to accomplish construction activity relative to which Articles II and III of chapter 875 require licensure. ~~he is authorized to obtain. Such a partnership must apply for the building permit which it is authorized to obtain through a partner. Such a corporation must apply for the building permit which it is authorized to obtain through an employee having authority to act for the corporation.~~

In addition, any person, partnership or corporation which owns, is a contract purchaser or is a long-term lessee of an improved or unimproved parcel of land which the person, partnership or corporation intends to utilize for its own purposes (e.g., permanent business location, place of residence, rental property that the owner is obligated to maintain) may obtain a building permit to allow construction activity on such parcel to be carried out by one or more listed contractors as long as a single listed contractor is not responsible for all of the construction activity to be done on the parcel. Such a



person, partnership or corporation may not obtain a building permit to wreck a structure for which Article IV of chapter 875 requires licensure. Such a person, partnership or corporation may not obtain a building permit for work relative to which IC 25-28.5-1 requires a state license. The requirements of section 875-222 and section 875-321 must be met for such a person, partnership or corporation to obtain a building permit to accomplish construction activity relative to which Articles II and III of chapter 875 require licensure.

(b) Application for a building permit may be made by the person entitled to obtain the permit or by an employee or agent of the person, partnership or corporation entitled to obtain the permit. The neighborhood and development services division may require that an employee or agent provide written authority to apply for the permit.

Sec. 536-203. Master Permit.

A person, partnership or corporation listed as a contractor under section 8-166 may elect to obtain a master permit for all construction activity occurring at a structure. (However, the neighborhood and development services division is not obligated to start issuing master permits until computer equipment and programs needed to make issuance of such permits practicable and effective have been secured). The master permit shall identify all construction activity to occur at the structure and shall be the sole permit needed to accomplish all work identified on the permit at the structure. The person, partnership or corporation obtaining the master permit shall be responsible for all construction activity occurring at the structure, including code compliance for all construction activity for which Articles II, III or IV of chapter 875 of this chapter requires licensure or IC 25-28.5-1 requires a state license.

Sec. 536-204. Procedure for obtaining a Master Permit

In order to obtain a master permit the person, partnership, or corporation must either be licensed for all the types of construction activity that will occur at the structure, or identify, at the time of application, a licensed subcontractor for every type of construction activity that will occur at the structure.

Sec. ~~8-32~~ 536-205. Building permits obtained by written application.

(a) Application for a building permit shall be made to the ~~division of~~ neighborhood and development services division. The application shall be made in accordance with this section, unless each and every requirement of section ~~8-36~~ 536-209 is met and the administrator decides to issue a building permit on the basis of that section.

(b) The application shall be in writing on a form prescribed by the ~~division of~~ neighborhood and development services and shall be supported with:

- (1) Two (2) copies of detailed plans and specifications drawn to scale which indicate in a precise manner the nature and location of all work to be accomplished pursuant to the building permit. In lieu thereof, it shall be within the discretion of the administrator of the ~~division of~~ neighborhood and development services ~~division~~ to accept two (2) copies of a written statement indicating the nature and location of the work to be done pursuant to the building permit where such written statement describes the work as precisely as a copy of detailed plans and specifications drawn to scale.
- (2) Two (2) copies of a plot plan drawn to scale which reflect the location of the structure in relation to existing property lines and which show streets, curbs and sidewalks and proposed changes or additions to such streets, curbs and sidewalks; provided, however, such plot plan shall not be required in the instance where all of the construction activity is to occur inside an existing structure.
- (3) An improvement location permit, issued by the ~~division of~~ neighborhood and development services ~~division~~, department of metropolitan development, if required by the ordinance providing for the improvement location permit.
- (4) Written approval from the Marion County Health and Hospital Corporation for any contemplated private sewage disposal system.
- (5) Written approval from the ~~Indiana department of fire prevention and building services safety commission, division of plan review,~~ if required by Indiana law or any rule ~~or standard~~ of the fire prevention and building safety commission.

- (6) A drainage permit, issued by the department of public works, if required by the ordinance providing for a drainage permit.
- (7) A connection permit, issued by the department of public works, if required by the ordinance requiring a permit for connection to a sewer.

(c) In the instance where a building permit is requested for the purpose of allowing the demolition or removal of a structure, such application shall be supported with a written statement from each utility that its service to the premises has been disconnected, and with either a written statement from the record titleholder of such premises authorizing the demolition or removal or a court order or administrative order requiring the demolition or removal of the structure.

(d) In the instance where a building permit is requested for the purpose of allowing the demolition or removal of a structure which is in excess of seventy-five (75) feet in height, such application shall be supported by a certificate of insurance reflecting that the obtainer of the building permit has a public liability and property damage insurance policy naming the licensee and the Consolidated City of Indianapolis as the assured and providing also for the payment of any liability imposed by law on such licensee or the Consolidated City of Indianapolis in the minimum amounts of one million dollars (\$1,000,000.00) for any occurrence relative to where there is injury to or death of one or more persons and five hundred thousand dollars (\$500,000.00) for any occurrence relative to which there is property damage.

(e) In the instance where a building permit is requested for the purpose of constructing a swimming pool, such application shall include the name of the person responsible for constructing the required fence or safety pool cover.

- (f) Except as provided in section ~~8-100~~ 536-701 or ~~8-101~~ 536-702, a building permit shall be issued if:
  - (1) The application and supporting information required by this section have been properly prepared and submitted; and
  - (2) The application and supporting information filed in accordance with this section reflect compliance with building standards and procedures; and
  - (3) The fee has been paid in compliance with Article II, Division 6 of this chapter. All fees for all permits required to complete the structure for which the permit application is submitted have been paid; and
  - (4) The person, partnership or corporation obtaining the building permit complies with the requirements of section ~~8-31~~ 536-202; and
  - (5) The person applying for the building permit complies with the requirements of section ~~8-31~~ 536-202.

(g) By making payment for the building permit, the applicant shall be deemed to represent and certify that the information contained in that permit is complete and accurate, unless the applicant shall within ten (10) days provide in writing to the ~~division of neighborhood and development services~~ division any additions or corrections to that information.

Sec. ~~8-33~~ 536-206. Structure requiring professional services of architects or engineers.

Except for those structures for which the rules of the fire prevention and building safety commission does not require filing of plans for approval by the responsible design architect or engineer, all detailed plans and specifications supplied with building permit applications shall be designed by and prepared under the control and supervision of a registered architect or engineer duly licensed to practice in the State of Indiana. Such professionally prepared plans and specifications shall bear the stamp or seal and registration number of such architect or engineer and shall be accompanied by the usual form of certification which is now or may be hereafter prescribed for use by architects and engineers by the fire prevention and building safety commission.

Sec. ~~8-34~~ 536-207. Scales of plans, numbering of plan sheets, provision of address on plan sheets.

All plans shall be drawn to scale or scales suitable to illustrate the work using accepted professional practices. Drawing scale or scales must be noted on each sheet. All plans with more than one sheet shall be numbered. Except with respect to one- or two-family residential structures, an index shall be furnished on the first sheet setting forth the character of each sheet in the set of plans. The address appearing on the building permit shall be placed in letters at least one-quarter inch high on the face of each sheet.



Sec. ~~8-35~~ 536-208. Examination of detailed plans and specifications.

The purpose of any examination of detailed plans and specifications and plot plans shall be to determine consistency with building standards and procedures. Design characteristics not affecting consistency with building standards and procedures shall not be considered in any examination of detailed plans and specifications and plot plans. Issuance of a building permit relative to plans which do not comply with building standards and procedures shall not relieve the person, partnership or corporation who applied for or obtained the building permit of the responsibility of complying with all building standards and procedures. The ~~division of neighborhood and development services~~ division shall file-mark all acceptable plans "plans received and application approved" and then return one copy of the detailed plans and specifications and one copy of the plot plan to the applicant.

Sec. ~~8-36~~ 536-209. Permits obtained by a telephone communication.

(a) The administrator may, but is not required to, issue a permit on the basis of information received by a telephone call over a specified telephone line in the office of the ~~division of neighborhood and development services~~ division (to which may be attached a recording device to make a record of all information supplied).

(b) To receive a permit on the basis of a telephone communication, all of the following requirements must be met:

(1) The person, partnership or corporation obtaining the permit and the person applying for the permit are eligible to obtain and apply for a building permit pursuant to section ~~8-31~~ 536-202, and:

a. Have accomplished construction activity in the consolidated city for a period of the preceding twelve (12) calendar months without a violation of building standards or procedures which caused a revocation of a building permit pursuant to section ~~8-103~~ 536-704; issuance of a stop-work order pursuant to section ~~8-104~~ 536-705; issuance of an order forbidding occupancy pursuant to section ~~8-105~~ 536-706; initiation of a civil action filed pursuant to section ~~8-106~~ 536-707; forfeiture of a licensing bond pursuant to section ~~8-107~~ 536-708; or a judicially imposed fine or imprisonment pursuant to section ~~8-108~~ 536-709; and

b. Have over the period of the previous one hundred eighty (180) days made prompt payment of all building permit fees for permits issued under this chapter;

(2) The construction activity is being accomplished in or on an existing structure;

(3) The construction activity does not involve the demolition or removal of a structure;

(4) The construction activity does not require the issuance of a design release by the Indiana department of approval of the fire prevention and building services safety commission, division of plan review;

(5) An improvement location permit, issued by the ~~division of neighborhood and development services~~ division, department of metropolitan development, is not required;

(6) Approval of the Marion County Health and Hospital Corporation for a private sewage disposal system is not required;

(7) The construction activity does not require a drainage permit; and

(8) The construction activity is susceptible to being accurately described without the aid of either a plot plan or detailed plans and specifications.

(c) The following information shall be supplied over the specified telephone line in order to obtain a building permit under this section ~~8-36~~ 536-210:

(1) The name and address of the person telephoning (applicant);

(2) The name, address and number of the contractor in whose name the requested building permit is being issued (obtainer);

(3) The address of the construction activity;

- (4) A precise description of the construction activity to be accomplished;
- (5) The value of the construction activity.

(d) The obtainer of the building permit shall remit fees for the permit along with a written application (as provided for in section ~~8-32~~ 536-205) to the ~~division of neighborhood and~~ development services division within five (5) business days following the date of the permit's issuance by check or money order made payable to the controller of the City of Indianapolis. The permit number shall be clearly marked on the face of the check or money order. Payment shall be made in the office of the ~~division of neighborhood and~~ development services division or through the United States Postal Service. If mailed, the postmark on the envelope shall be evidence of compliance with the five-day remittance requirement. If payment is not received within five (5) business days, the permit shall be voidable by order of the administrator. If a permit issued under this section is voided, no further construction activity shall be accomplished under that permit.

(e) The building permit obtained in accordance with this section shall be in full force and effect at the time a building permit number is furnished by the ~~division of neighborhood and~~ development services division over the telephone line to the applicant. Following the issuance of the building permit in accordance with this section, the ~~division of neighborhood and~~ development services division shall, as soon as conveniently possible after the payment of the permit fee, mail a copy of the building permit document to the applicant for the building permit.

(f) By making payment for the building permit, the applicant shall be deemed to represent and certify that the information contained in that permit is complete and accurate, unless the applicant shall within ten (10) days provide in writing to the ~~division of neighborhood and~~ development services division any additions or corrections to that information.

Sec. ~~8-37~~ 536-210. Permit and file-marked plans to be available.

Any person, partnership or corporation to which a building permit has been issued shall prominently display such permit or a document bearing the permit number provided by the ~~division of neighborhood and~~ development services division which evidences permit issuance, or, in the instance of a permit obtained by telephone communication, a paper bearing the authorization number, at the job site during construction activity. If required to submit detailed plans and specifications in order to obtain a building permit such person, partnership or corporation shall have available for inspection at all times a copy of the detailed plans and specifications bearing the file mark of the ~~division of neighborhood and~~ development services division. Any change in such detailed plans and specifications, except for minor deviations that neither diminish structural quality nor would cause noncompliance with applicable building standards and procedures, shall be filed with and approved by the ~~division of neighborhood and~~ development services division prior to the time construction involving the change occurs.

Sec. ~~8-38~~ 536-211. Transfer of building permits.

(a) A building permit may be transferred with the approval of the administrator of the ~~division of neighborhood and~~ development services division to a person, partnership or corporation which would be eligible under section ~~8-34~~ 536-202 to obtain such building permit in the first instance (hereinafter called "transferee"), after both the payment of a fee specified in section ~~8-90~~ 536-610 and the execution and filing of a form furnished by the ~~division of neighborhood and~~ development services division. Such transfer form shall contain, in substance, the following certifications, release and agreement:

- (1) The person who applied for the original building permit or a person who meets the requirements of section ~~8-54~~ 536-302 for the execution and filing of a modified certificate of completion and compliance (hereinafter called "transferor") shall:
  - a. Certify under penalties for perjury that ~~he~~ such person is familiar with construction activity accomplished pursuant to the building permit; ~~he~~ such person is familiar with the building standards and procedures applicable to the construction activity; and to the best of ~~his~~ such person's knowledge, information and belief the construction activity, to the extent performed, is in conformity with all building standards and procedures; and
  - b. Sign a statement releasing all rights and privileges secured under the building permit to the transferee.
- (2) The transferee shall:



- a. Certify that ~~he~~ the transferee is familiar with the information contained in the original building permit application, the detailed plans and specifications, the plot plan and any other documents filed in support of the application for the original building permit; and
- b. Certify that ~~he~~ the transferee is familiar with the present condition of the premises on which construction activity is to be accomplished pursuant to the building permit; and
- c. Agree to adopt and be bound by the information contained in the original application for the building permit, the detailed plans and specifications, the plot plan and other documents supporting the original building permit application; or in the alternative, agree to be bound by such application plans and documents modified by plan amendments submitted to the ~~division of neighborhood and development services division~~ for approval.

(b) The transferee shall assume the responsibilities and obligations of and shall comply with the same procedures required of the transferor (including, but not being limited to the requirement of section ~~8-50 536-301~~ that a certificate of completion and compliance be executed and filed and the requirement of sections ~~8-61 536-402~~ and ~~8-62 536-403~~ that further construction activity not be accomplished without notice of and opportunity for inspection at certain stages) and shall be subject to any written orders issued by the administrator or his authorized representative.

Sec. ~~8-39 536-212~~. Obligation of subsequent obtainer of building permit relative to partially completed work.

If construction activity allowed by a building permit has been commenced but only partially completed and a person, partnership or corporation desires to complete such construction activity, then such person, partnership or corporation must obtain a building permit covering the construction previously accomplished as well as that to be accomplished, shall be responsible for accomplishing all construction activity encompassed by the subsequent building permit (including that previously accomplished) in accordance with building standards and procedures and shall be obligated to file a certificate of completion and compliance required by section ~~8-50 536-301~~ or ~~8-51 536-302~~ covering all the construction activity encompassed by the subsequent permit.

Sec. ~~8-40 536-213~~. Expiration by operation of law.

If the construction activity for which a building permit has been issued has not been commenced within one hundred fifty (150) days from the date of its issuance, the permit shall expire by operation of law and shall no longer be of any force or effect; provided, however, the administrator of the ~~division of neighborhood and development services division~~ may, for good cause shown in writing, extend the validity of any such permit for an additional period which is reasonable under the circumstances, but in no event shall the continuance exceed a period of sixty (60) days. Such extension shall be confirmed in writing. If the construction activity has been commenced but only partially completed, and thereafter substantially no construction activity occurs on the construction site over a period of six (6) months, the permit shall expire by operation of law and no longer be of any force or effect; provided, however, the administrator may, for good cause shown in writing, extend the validity of any such permit for an additional period which is reasonable under the circumstances to allow reinitiation of construction activity.

Sec. ~~8-41 536-214~~. Defacing permit.

It shall be unlawful for any person, other than an employee of the ~~division of neighborhood and development services division~~ to intentionally remove, deface, obscure, mutilate, mark or sign a posted building permit or a document bearing the permit number provided by the ~~division of neighborhood and development services division~~ which evidences permit issuance without authorization from the administrator of the ~~division of neighborhood and development services division~~ or his authorized representative until fifteen (15) calendar days after both the construction activity is completed and the ~~division of neighborhood and development services division~~ is notified of such completion.

Sec. ~~8-42 536-215~~. Notification to assessor about construction of deck.

(a) When a deck is constructed, the contractor (or the owner, if a contractor is not doing the work) must either:

- (1) secure a building permit; or
- (2) send a notice of the construction to the County Assessor.

November 28, 1994

(b) The notice to the County Assessor shall include the following information:

- (1) the township where the property is located,
- (2) the address of the property where the deck was constructed,
- (3) the name of the owner of the property,
- (4) the approximate size of the deck,
- (5) the name of the contractor who constructed the deck, and
- (6) the listing number of the contractor.

The notice shall be provided to the County Assessor within 30 days of the time the deck is substantially completed.

### ARTICLE III. CERTIFICATE OF COMPLETION AND COMPLIANCE

Sec. ~~8-50~~ 536-301. Filing of certificate of completion and compliance.

Within ten (10) days after completion of the construction activity for which a building permit has been issued pursuant to the provisions of this chapter and prior to the occupancy or use of the structure, the person who applied for the building permit for such construction activity shall execute and file a certificate of completion and compliance with the ~~division of neighborhood and~~ development services division. If a master permit was obtained for the structure all licensed subcontractors who worked on the structure shall also execute the certificate of completion. Such certificate shall be in the following form:



CERTIFICATE OF COMPLETION AND COMPLIANCE

Address of premises on which construction activity was accomplished:

Permit number/notification number:

The undersigned person(s) hereby certifies/certify under the penalties for perjury that:

1. I applied for the above referenced building permit or was a licensed subcontractor, who performed work on the structure, and
2. I am familiar with the construction activity accomplished pursuant to that building permit, and
3. I know such construction activity has been completed with exceptions here noted \_\_\_\_\_, and
4. I am familiar with building standards and procedures applicable to such construction activity, and
5. To the best of my knowledge, information and belief such construction activity has been performed in conformity with all building standards and procedures.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_ Typed or printed name \_\_\_\_\_

Signature: \_\_\_\_\_ Typed or printed name \_\_\_\_\_

Signature: \_\_\_\_\_ Typed or printed name \_\_\_\_\_

Signature: \_\_\_\_\_ Typed or printed name \_\_\_\_\_

Signature: \_\_\_\_\_ Typed or printed name \_\_\_\_\_

Electrical, heating and cooling or wrecking contractor license number, plumbing contractor registration number, contractor listing number and contractor's license number, or registered architect or registered engineer registration number: \_\_\_\_\_

If a licensed electrical contractor has properly executed and delivered or mailed an electrical craft work certificate of completion and compliance pursuant to section ~~8-63~~ 536-404(b)(3), he shall not be required to file the above certificate of completion and compliance.

If a registered architect or registered engineer has properly executed and delivered or mailed an architect's or engineer's certificate of completion and compliance pursuant to section ~~8-52~~ 536-303, he shall not be required to file the above certificate of completion and compliance.

Sec. ~~8-51~~ 536-302. Modified certificate of completion and compliance.

If it is impossible or will impose a substantial hardship for the person who applied for the building permit to execute and file a certificate of completion and compliance, a modified certificate of completion and compliance omitting the language stating the person signing the certificate obtained the building permit will be accepted from a person having sufficient knowledge of the construction activity to allow ~~him~~ such person to execute the certificate of completion and compliance, if:

- (1) The person executing and filing the modified certificate of completion and compliance fulfills the requirements imposed by section ~~8-31~~ 536-202 of an applicant for the type of building permit obtained to allow such construction activity; and
- (2) An affidavit is executed and filed along with the modified certificate of completion and compliance which provides in substance that it is impossible or will impose a substantial hardship for the person who applied for the building permit to execute and file a certificate of completion and compliance.

Where a building permit is obtained for a partnership or corporation by an applicant and a certificate of completion and compliance is not filed because it would be impossible to impose a substantial hardship for the applicant to execute and file such certificate, it shall be the responsibility of the partnership or corporation to cause a modified certificate of completion and compliance to be executed and filed relative to such construction activity within ten (10) days after completion of the construction activity.

Sec. ~~8-52~~ 536-303. Filing of architect's or engineer's certificate of completion and compliance.

Within ten (10) days after the completion of construction activity for which a building permit was issued pursuant to this chapter and for which review and monitoring of construction activity by an architect or engineer is required by the rules of the fire prevention and building safety commission, the architect or engineer who observed the construction activity accomplished pursuant to the permit shall execute and file an architect's or engineer's certificate of completion and compliance with the ~~division of~~ neighborhood and development services division in the following form:

ARCHITECT'S AND ENGINEER'S CERTIFICATE OF COMPLETION AND COMPLIANCE	
Address of construction activity: _____	
Permit number: _____	
The undersigned architect or engineer hereby states under penalties for perjury that:	
1. I have made reasonable and periodic observation of the above mentioned construction project to determine whether the work accomplished is in accordance with the plans and specifications for this project as released by the fire prevention and building safety commission and whether the work accomplished is in compliance with building standards promulgated by the fire prevention and building safety commission and provisions of Article III, Divisions 1 and 3, of Chapter 8 of the Code of Indianapolis and Marion County, with the following exceptions hereafter noted: _____	
2. I am familiar with such building standards and the provisions of Article III, Divisions 1 and 3, of Chapter 8 applicable to the work accomplished; and	
3. To the best of my knowledge, information and belief such work has been accomplished in conformity with such building standards promulgated by the fire prevention and building safety commission and the provisions of Article III, Divisions 1 and 3 of Chapter 8.	
Date: _____	Signature: _____
SEAL	Typed name: _____
	Architect No.: _____
	Engineer No.: _____
	Indiana Registration No.: _____
	Address: _____
	Phone number: _____

#### ARTICLE IV. INVESTIGATIONS AND INSPECTIONS OF CONSTRUCTION ACTIVITIES

Sec. ~~8-60~~ 536-401. General authority to make investigations and inspections.

The administrator of the ~~division of~~ neighborhood and development services division or his authorized representative may at any reasonable time go in, upon, around or about the premises where any structure or building equipment subject to the provisions of this chapter or to the rules of the fire prevention and building safety commission is located (irrespective of whether a building permit has been or is required to be obtained) for the purpose of investigation and inspection of such structure or building equipment. Such investigation and



inspection may be made either before or after construction activity on the project is completed and it may be made for the purposes, among others, of determining whether the structure or building equipment meets building standards and procedures, and ascertaining whether the construction activity and procedures have been accomplished in a manner consistent with a certificate filed pursuant to sections ~~8-50, 8-51, 8-52 or 8-63~~ 536-301, 536-302, 536-303, or 536-304(b)(3). Reasonable efforts to afford an opportunity for investigation and inspection of the structure or building equipment by the ~~division of neighborhood and~~ development services division shall be made by persons working on or having control of the construction activity. However, nothing in this section shall be construed to require the administrator to make inspections and investigations.

Sec. ~~8-61~~ 536-402. Notice of availability for inspection as a condition to the accomplishment of further work.

(a) Whenever a stage of construction activity is reached which is designated below, the person who applied for the building permit (or if it is impossible or would impose a substantial hardship for the applicant, the person, partnership or corporation which obtained the permit) shall be under a duty to give appropriate notice to the administrator of the ~~division of neighborhood and~~ development services division that the construction activity is available for inspection.

(ab) Relative to the construction of, remodeling of or addition to a structure, notice of availability is required, as applicable, for:

- (1) A "foundation inspection" after poles or piers are set, trenches or basement areas excavated, any required reinforcing steel is in place, but prior to the placing of concrete; and
- (2) A "frame and masonry inspection" after the roof, masonry, all framing, firestopping and bracings are in place and all electrical wiring, pipes, chimneys and vents are complete, but prior to the interior covering of walls.

(bc) Relative to the installation, modernization or replacement of building equipment (including but not limited to plumbing work for which licensure is required by the Indiana Plumbing Commission, or work on electrical power distribution systems, heating systems, space heating equipment, cooling systems or space cooling equipment), notice of availability for a separate "rough inspection" is required, as applicable, for each of the three (3) crafts after installation, but prior to the covering or concealment thereof and before fixtures are set.

(ed) Relative to demolition or removal of a structure, notice of availability for a "fill inspection" is required (in the instance when a basement or subgrade chamber exists) after demolition or removal and prior to placing fill.

(de) The administrator or ~~his~~ the administrator's authorized representative may, relative to any construction activity, add a reasonable number of other construction stages by communicating the additional stage requirements to the person obtaining the building permit for that construction activity.

(f) Notice of availability shall be given either by telephone communication over a specified telephone line in the office of the ~~division of neighborhood and~~ development services division (to which may be attached a recording device to make a record of all information supplied), by hand-delivered written notice or by a letter delivered by the United States Postal Service.

Sec. ~~8-62~~ 536-403. Requirement that construction activity remain available for inspection.

Whenever a stage of construction activity designated in section ~~8-61~~ 536-402 is reached, no person shall take any action or accomplish any additional construction activity which would substantially impede the opportunity of the administrator or ~~his~~ the administrator's authorized representative to inspect that stage of construction activity for a period of at least forty-eight (48) hours after notice of the availability for inspection has been received during business hours in the ~~division of neighborhood and~~ development services division or until after an inspection is made, whichever first occurs. The forty-eight (48) hour period shall begin to run upon actual receipt of the notice during business hours but shall not run during any day when an inspection attempt by a representative of the ~~division of neighborhood and~~ development services division is unsuccessful because the work is not accessible.

A person, partnership or corporation may, however, pour a foundation two (2) hours after notification is received in the office of the ~~division of neighborhood and~~ development services division. If a foundation is so

poured, the remainder of the excavation must remain open for a period of forty-eight (48) hours from the time when notice is received and the person, partnership or corporation must assist an inspector in making the excavation available for proper inspection.

Sec. ~~8-63~~ 536-404. Connection, provision or use of electrical power.

(a) No person, partnership or corporation shall accomplish or allow the connection, provision or use of electrical power relative to an electrical power distribution system in or on a structure where construction activity (for which a building permit has been or is required to be obtained pursuant to this chapter) has been accomplished, until after an inspection has been made and a distinctive sticker (signifying the electrical power distribution system may be used) has been attached to each service equipment by the administrator or ~~his~~ the administrator's authorized representative. It shall be unlawful for any person other than the administrator or ~~his~~ the administrator's authorized representative to use, complete, apply or alter such sticker.

(b) As an alternative to section ~~8-63~~ 536-404(a), the administrator of the ~~division of neighborhood and development services~~ division may allow the connection, provision or use of electrical power on the basis of certification by a person who is a licensed electrical contractor if all of the following requirements are met:

- (1) After the completion of the work and before use of the electrical power distribution system is initiated, the licensed electrical contractor who applied for the building permit shall communicate over a specified telephone line in the office of the ~~division of neighborhood and development services~~ division during business hours (to which the division of development services may attach a recording device to make a record of all information supplied) the following information:
  - a. The name of the person telephoning;
  - b. The electrical contractor license number of the person telephoning;
  - c. The address of the affected premises;
  - d. The building permit number under which the construction activity was accomplished; and
  - e. The serial number of the electrical craft work certificate of completion and compliance form to be used.
- (2) If such information is in order and if the licensed electrical contractor has accomplished construction activity for a period of the preceding twelve (12) calendar months without violation of building standards or procedures which in the discretion of the administrator are of sufficient seriousness to make the contractor ineligible to use the certificate, the ~~division of neighborhood and development services~~ division shall indicate over the specified telephone line authorization to attach a certificate to each service equipment and assign an authorization number to be placed on each certificate by the licensee.
- (3) A certificate, in the following form, must then be executed and attached to each service equipment as a precondition to the connection, provision or use of electrical power.



ELECTRICAL CRAFT WORK CERTIFICATE OF COMPLETION AND COMPLIANCE

Address of the craft work: \_\_\_\_\_

Serial number: \_\_\_\_\_

Permit number: \_\_\_\_\_

Authorization number: \_\_\_\_\_

The undersigned licensee hereby certifies under the penalties for perjury that:

1. I am an electrical contractor licensed in accordance with chapter 875 of the Code of Indianapolis-Marion County, Indiana;
2. I am responsible for the proper completion of the construction activity which is the subject of the above referenced building permit as applicant for the permit or applicant representing the transferee of the permit; and
3. I have either personally accomplished or personally inspected all such construction activity, or in the alternative, I have caused the construction activity to be inspected by a responsible and competent employee who works under my direction and control, who has fully reported to me the condition of the construction activity; and
4. I know that such construction activity is completed and in condition for immediate and final inspection on the date stated below; and
5. I am familiar with building standards and procedures applicable to such construction activity; and
6. I know that such construction activity has been done in compliance with all building standards and procedures; and
7. I acknowledge and understand that if such construction activity is done in violation of building standards and procedures, that under the provisions of chapter 875 my electrical contractor's license may be suspended or revoked.

Date certificate attached to service equipment: \_\_\_\_\_

Signature: \_\_\_\_\_

Electrical contractor license number: \_\_\_\_\_

Type or printed name: \_\_\_\_\_

After the signatory attaches a certificate to each service equipment, ~~he such person~~ shall cause a duplicate copy of each certificate to be either delivered to the ~~division of neighborhood and~~ development services division or postmarked no later than the next business day by the United States Postal Service.

(4) After completion of the above requirements, the ~~division of neighborhood and~~ development services division will notify the electric utility that electrical power can be connected and used at the site.

(c) It shall be unlawful for any person, partnership or corporation to accomplish the connection, provision or use of electrical power relative to an electrical power distribution system without first receiving authorization from the ~~division of neighborhood and~~ development services division either by telephone communication and attachment of an electrical craft work certificate of completion and compliance or by the distinctive sticker described in section ~~8-63~~ 536-404(a).

(d) Nothing stated in this section shall be construed to deny the right of the ~~division of neighborhood and~~ development services division to inspect the electrical power distribution system to which electrical power is connected either before or after such connection is made or before or after the electrical power distribution system is used.

(e) Electrical craft work certificates of completion and compliance may be purchased only by a licensed electrical contractor who is eligible to use such forms from the ~~division of neighborhood and~~ development services ~~division~~, acting on behalf of the controller, for a fee specified in Article II, ~~Division 6~~ VI of this chapter. Each certificate form shall bear a different serialized number which shall be recorded by the ~~division of neighborhood and~~ development services ~~division~~ along with the name and licensure number of the electrical contractor who purchases the form. The certificate may only be signed and attached by the licensed electrical contractor who purchased it from the ~~division of neighborhood and~~ development services ~~division~~. It shall be unlawful to sell or transfer such certificate and unlawful to use, complete, sign or attach such a certificate except as prescribed in this section.

#### ARTICLE V. INSPECTION OF EXISTING STRUCTURES AND BUILDING EQUIPMENT CONTAINED THEREIN; SPECIAL STRUCTURES

Sec. ~~8-70~~ 536-501. Inspection of existing public, institutional, commercial and industrial structures and building equipment contained therein.

The administrator of the ~~division of neighborhood and~~ development services ~~division~~ or ~~his~~ the administrator's authorized representative may inspect public school buildings, public assembly halls, churches, theaters, grandstands, buildings used for manufacturing or commercial purposes, hotels, motels, apartment houses, hospitals, nursing homes, buildings used for entertainment or amusement, and all other structures which are used, occupied or frequented by large numbers of people for the purpose of determining whether such structures and the building equipment related to such structures are safe and comply with applicable building standards and procedures.

Sec. ~~8-71~~ 536-502. Inspection of dangerous structures.

The administrator of the ~~division of neighborhood and~~ development services ~~division~~ or ~~his~~ the administrator's authorized representative may inspect any structure or building equipment reported or appearing to be defective, dangerous or damaged by fire, casualty or vandalism for the purpose of determining whether such structure or building equipment is safe and complies with applicable building standards and procedures.

Sec. ~~8-72~~ 536-503. Inspection of premises on which municipally licensed activities are to be carried out.

At the request of the controller, the administrator of the ~~division of neighborhood and~~ development services ~~division~~ or ~~his~~ the administrator's authorized representative may inspect the structure and building equipment on any premises which are being used or may be used in connection with a business operation licensed pursuant to Chapter 17 of the Code of Indianapolis and Marion County. Such inspection shall be made for the purpose of determining whether such structure and building equipment are safe and comply with applicable building standards and procedures. A fee specified by Article II ~~VI~~ Division 6 shall be paid for the original inspection and each annual reinspection by the person, partnership or corporation which made application to the controller for licensure of such business operation.

#### ARTICLE VI. FEES

Sec. ~~8-80~~ 536-601. Payment of fees.

Fees required for activities regulated by this chapter shall be collected by the administrator, ~~division of neighborhood and~~ development services ~~division~~, acting on behalf of the city controller and are specified in the following sections. All fees shall be rounded to the nearest whole dollar after computation. Floor area shall be determined on the basis of exterior dimensions.

Sec. ~~8-81~~ 536-602. Permit fees for construction, placement or additions to structures.

- (a) One- or two-family residential structures:
  - (1) A one- or two-family dwelling structure:
    - a. Minimum fee--\$85.00.
    - b. General rate--\$0.03 per square foot of gross floor area, which shall include the area of an attached garage or carport and the area of a finished basement or attic, but exclude the area of an unfinished basement or attic.



(2) Accessory structure appurtenant to a one- or two-family dwelling structure:

- a. Minimum fee--\$40.00.
- b. General rate--\$0.03 per square foot of gross floor area.

(b) Structures other than one- or two-family residential structures:

- (1) Minimum fee--\$135.00.
- (2) General rate--\$0.04 per square foot of gross floor area, each floor.

Sec. ~~8-82~~ 536-603. Permit fees for remodeling, alteration, or repair of structures.

(a) One- or two-family residential structures:

- (1) Minimum fee--\$40.00.
- (2) General rate--\$7.00 per \$1,000.00 of total value or \$0.03 per square foot of gross floor area of each floor being remodeled or altered; whichever method of computation yields the lesser fee amount.
- (3) When remodeling, alteration, or repair of a one- or two-family residential structure is accomplished at the same time as an addition to an existing structure, a single permit fee shall be determined according to section ~~8-81~~ 536-602.

(b) Structures other than one- or two-family residential structures:

- (1) Minimum fee--\$75.00.
- (2) General rate--\$7.00 per \$1,000.00 of total value or \$0.04 per square foot of gross floor area of each floor being remodeled or altered; whichever method of computation yields the lesser fee amount.

Sec. ~~8-83~~ 536-604. Permit fees for plumbing activity.

(a) Installation of plumbing system in a new structure or in an addition to an existing structure other than a one- or two-family dwelling structure:

- (1) Minimum fee--\$30.00.
- (2) General rate--15% of the fee for the building permit (as provided for in section ~~8-81~~ 536-602) which has been obtained for the new structure.

(b) Alteration, repair or replacement of plumbing in an existing structure, in an addition to an existing one- or two-family dwelling structure, or in a structure appurtenant to a one- or two-family dwelling structure:

- (1) Minimum fee--\$20.00.
- (2) General rate--\$5.50 per \$1,000.00 of total value.
- (3) When documentation submitted prior to the issuance of a permit indicates that the value structural work is greater than or equal to the value of the plumbing work, the plumbing permit fee shall not exceed the structural permit fee (as provided in section ~~8-81~~ 536-602(a), or in section ~~8-82~~ 536-603).

(c) Initial connection or reconnection of plumbing to a structure which has been removed from one location and is being placed at another location or to a factory constructed building--\$25.00.

(d) If plumbing activity is limited solely to replacement or installation of one or more water heaters in a structure:

- (1) Minimum fee--\$15.00.
- (2) General rate--\$5.50 per \$1,000.00 of total value.

(e) A permit may encompass plumbing activity in one fee category to be accomplished within a single structure, regardless of the number of independent systems in the structure. The amount of the permit fee for such activity shall be the minimum fee or the general rate, whichever is higher.

Sec. ~~8-84~~ 536-605. Permit fees for electrical activity.

(a) Installation of an electrical power distribution system in a new structure or in an addition to an existing structure other than a one- or two-family dwelling structure:

- (1) Minimum fee--\$35.00.
- (2) General rate--20% of the fee for the building permit (as provided for in section ~~8-81~~ 536-602) which has been obtained for the new structure or addition.

(b) Repair, alteration or remodeling of an electrical power distribution system in an existing structure, in an addition to a one- or two-family dwelling structure, or in an accessory structure appurtenant to a one- or two-family dwelling structure:

- (1) Minimum fee--\$20.00.
- (2) General rate--\$5.50 per \$1,000.00 total value.
- (3) When documentation submitted prior to the issuance of a permit indicates that the value to the structural work is greater than or equal to the value of the electrical work, the electrical permit fee shall not exceed the structural permit fee (as provided for in section ~~8-81~~ 536-602(a)).

(c) Installation or replacement of space heating equipment using electricity as its primary source of energy:

- (1) Minimum fee--\$20.00.
- (2) General rate--\$0.15 per each 1,000 Btuh of output capacity up to the first 1,200,000 Btuh and \$0.07 per each additional 1,000 Btuh.

(d) Installation or replacement of space cooling equipment using electricity as its primary source of energy:

- (1) Minimum fee--\$20.00.
- (2) General rate--\$0.20 per 1,000 Btuh, of output capacity up to the first 600,000 Btuh, and \$0.07 per each additional 1,000 Btuh.

(e) Installation or replacement of combined space heating and space cooling equipment using electricity as their primary source of energy:

- (1) Minimum fee--\$25.00.
- (2) General rate--70% of the sum of both general rates provided above in section ~~8-84~~ 536-605(c)(2) and (d)(2) as they are applied to the heating output capacity and cooling output capacity, respectively, of the combined space equipment.

(f) Initial connection or reconnection of electrical power to a structure which has been removed from one location and is being placed at another location--\$25.00.

(g) Installation, alteration, replacement or repair of a system distributing electrical power to service equipment supplying power to factory constructed dwellings located in a mobile home park:

- (1) Minimum fee--\$25.00.
- (2) General rate--\$6.00 per service equipment assembly located on property owned by the same person, partnership or corporation and available for inspection at one time.

(h) "Electrical craft work certificate of completion and compliance" forms, as allowed in section ~~8-63~~ 536-404--\$7.00 each.



(i) A permit may encompass electrical activity in one fee category to be accomplished within a single structure, regardless of the number of independent systems or equipment units in the structure. The amount of the permit fee for such activity shall be the minimum fee or the general rate, whichever is higher.

Sec. ~~8-85~~ 536-606. Permit fees for heating, cooling and refrigeration activity.

(a) Heating systems:

(1) Installation, replacement, or addition which entails duct work or other types of heating transfer:

- a. Minimum fee--\$25.00.
- b. General rate--\$0.15 per each 1,000 Btuh of input capacity up to the first 1,200,000 Btuh, and \$0.07 per additional 1,000 Btuh.

(2) Replacement or addition which does not entail duct work or other types of heating transfer:

- a. Minimum fee--\$20.00.
- b. General rate--\$0.15 per each 1,000 Btuh of input capacity up to the first 1,200,000 Btuh, and \$0.07 per each additional 1,000 Btuh.

(b) Cooling systems:

(1) Installation, addition or replacement which entails duct work or other types of heating transfer:

- a. Minimum fee--\$25.00.
- b. General rate--\$0.20 per each 1,000 Btuh of input capacity up to the first 600,000 Btuh, and \$0.07 per additional 1,000 Btuh.

(2) Installation or replacement which does not entail duct work or other types of cooling transfer:

- a. Minimum fee--\$20.00.
- b. General rate--\$0.20 per each 1,000 Btuh of input capacity up to the first 600,000 Btuh, and \$0.07 per each additional 1,000 Btuh.

(c) Combined heating systems and cooling systems:

(1) Combined heating system and cooling systems entailing duct work or other types of heating or cooling transfer:

- a. Minimum fee--\$30.00.
- b. General rate--70% of the sum of both general rates provided above in section ~~8-85~~ 536-806(a)(1)b and ~~8-85~~ 536-806(b)(1)b as they are applied to the heating input capacity and cooling input capacity, respectively, of the combined systems.

(2) Replacement or addition which does not entail duct work or other types of heating or cooling transfer:

- a. Minimum fee--\$25.00.
- b. General rate--70% of the sum of both general rates provided above in section ~~8-85~~ 536-606(a)(1)b and ~~8-85~~ 536-606(b)(1)b as they are applied to the heating input capacity and cooling input capacity, respectively, of the combined systems.

(d) Space heating equipment:

(1) Installation of space heating equipment:

- a. Minimum fee--\$20.00.

- b. General rate--\$0.15 per each 1,000 Btuh of input capacity up to the first 1,200,000 Btuh, and \$0.07 per each additional 1,000 Btuh.
- (2) Replacement of space heating equipment:
  - a. Minimum fee--\$20.00.
  - b. General rate--\$0.15 per each 1,000 Btuh of input capacity up to the first 1,200,000 Btuh, and \$0.07 per each additional 1,000 Btuh.
- (e) Space cooling equipment:
- (1) Installation of space cooling equipment:
  - a. Minimum fee--\$20.00.
  - b. General rate--\$0.20 per each 1,000 Btuh of input capacity up to the first 600,000 Btuh, and \$0.07 per each additional 1,000 Btuh.
- (2) Replacement of space cooling equipment:
  - a. Minimum fee--\$20.00.
  - b. General rate--\$0.20 per 1,000 Btuh of input capacity up to the first 600,000 Btuh, and \$0.07 per each additional 1,000 Btuh.
- (f) Combined space heating and space cooling equipment:
- (1) Installation of combined space heating and space cooling equipment:
  - a. Minimum fee--\$25.00.
  - b. General rate--70% of the sum of both general rates provided above in section ~~8-85~~ 536-606(d)(1)b and ~~8-85~~ 536-606(e)(1)b as they are applied to the heating output capacity and cooling output capacity, respectively, of the combined space equipment.
- (2) Replacement of combined space heating and space cooling equipment:
  - a. Minimum fee--\$25.00.
  - b. General rate--70% of the sum of both general rates provided above in section ~~8-85~~ 536-606(d)(2)b and (e)(2)b as they are applied to the heating output capacity and cooling output capacity, respectively, of the combined space equipment.
- (g) Refrigeration equipment:
- (1) Installation of refrigeration equipment:
  - a. Minimum fee--\$20.00.
  - b. General rate--\$3.00 per horsepower or fraction thereof.
- (2) Alteration or repair of refrigeration equipment:
  - a. Minimum fee--\$20.00.
  - b. General rate--\$5.50 per \$1,000.00 of total value.
- (h) A permit may encompass heating, cooling and refrigeration activity in one fee category to be accomplished within a single structure, regardless of the number of independent systems or equipment units in the structure. The amount of the permit fee for such activity shall be the minimum fee or the general rate, whichever is higher,



Sec. ~~8-86~~ 536-607. Permit fees for demolition or removal of structures.

- (a) One- or two-family dwelling structures:
  - (1) One- or two-family dwelling structures located on the same premises:
    - a. Tallest building is two-story--\$40.00.
    - b. For each additional story of tallest building over two (2) stories, add \$15.00.
  - (2) Accessory structure appurtenant to a one- or two-family dwelling structure--\$25.00.
- (b) Structures other than one- or two-family residential structures:
  - (1) One story:
    - a. Ground floor area up to 2,000 square feet--\$45.00.
    - b. Ground floor area up to 4,000 square feet--\$85.00.
    - c. Ground floor area up to 10,000 square feet--\$125.00.
    - d. Ground floor area up to 20,000 square feet--\$180.00.
    - e. Ground floor area over 20,000 square feet--\$355.00.
  - (2) For each additional story over one story, add 50% of the ground floor area fee.
- (c) Smokestacks, aboveground storage tanks, overhead hoppers, or other similar structures--\$100.00.

Sec. 536-608. Fee for master permit.

(a) The fee for the master permit shall be the sum of the fees (calculated according to sections 536-602, 536-603, 536-604, 536-605, 536-606, and 536-607) for the structural and craft work for which the master permit is issued.

~~Sec. 8-87~~ 536-609. ~~Listing, registration and license fees.~~

- ~~(a) General contractors, annual listing fee for sole proprietors--\$75.00.~~
- ~~(b) Plumbing contractors, annual registration fee for sole proprietors--\$55.00.~~
- ~~(c) Electrical contractors, annual license fee:~~
  - ~~(1) Master electrical--\$100.00.~~
  - ~~(2) Residential electrical--\$75.00.~~
- ~~(d) Heating and cooling contractors, annual license fee:~~
  - ~~(1) Heavy commercial (unrestricted), light commercial/ residential, steam and refrigeration licenses--\$100.00.~~
  - ~~(2) Residential and all services licenses--\$75.00.~~
- ~~(e) Wrecking contractors, annual license fee:~~
  - ~~(1) Type A--\$125.00.~~
  - ~~(2) Type B--\$100.00.~~
  - ~~(3) Type C--\$75.00.~~

~~(f) Licensure, listing and registration fees for partnerships and corporations shall be \$100.00;~~

~~(1) A listed contractor shall be allowed five (5) names which includes officers, partners or employees of the corporation who are eligible to obtain permits. An additional \$40.00 shall be charged for each subsequent name.~~

~~(g) Plumbing registration fees for individuals within a corporation who are eligible to obtain permits \$45.00.~~

~~(h) A person who meets the inspector status requirements stated in section 8-167, 8-192, 8-222 or 8-252 is relieved of the requirement of the annual license, listing [or registration] fees.~~

~~Sec. 8-88 536-610. Examination fees.~~

~~Fees for examinations which are required as a condition to contractor licensure shall be in the amounts following, or be in the amounts established as the actual cost incurred by the division of development services in having an outside organization prepare and grade such examinations, whichever amount shall be greater:~~

~~(1) Electrical examination fee \$100.00.~~

~~(2) Heating and cooling examination fee \$100.00.~~

~~(3) Wrecking examination fee \$100.00.~~

Sec. 536-609. Reinspection Fee.

A reinspection fee of seventy-five dollars (\$75.00) may be assessed at the discretion of the administrator when an additional inspection visit to a construction address is needed because:

(1) notice was not given that construction activity was available for inspection within the time period required by section 536-402;

(2) notice was given pursuant to section 536-402 that construction activity was available for inspection; and

a. the construction activity could not be found because the construction address provided on the permit application was incorrect; or

b. the construction activity was not accessible when the inspector attempted to make the requested inspection; or

c. the construction activity was not yet sufficiently completed for an inspection to be made; or

d. the construction activity was covered or otherwise concealed and therefore not available for inspection; or

(3) a notice of correction was issued to the contractor; or

(4) a certificate required by section 536-301, 536-302, 536-303 or 536-404 was not filed within the time period required by those sections.

~~Sec. 8-89 536-610. Miscellaneous inspection fees.~~

~~For inspection of premises upon which municipally licensed activities are to be carried out, as specified in section 8-72 536-503, initial inspection and annual reinspection--\$35.00.~~

~~Sec. 8-90 536-611. Fee for transfer of building permit.~~

~~Fee for transfer of building permit as provided for in section 8-38 536-211--\$25.00.~~

~~Sec. 8-91 536-612. Fee for construction activity not specifically defined above.~~

~~If construction activity should not be adequately specified by above sections of this Division 6 Article VI, the general permit or inspection fee shall be calculated at the following rate:~~



- (1) Minimum fee (residential)--\$25.00.
- (2) Minimum fee (anything other than residential)--\$30.00.
- (3) General rate--\$5.50 per \$1,000.00 of total value.

Sec. ~~8-92~~ 536-613. Fee exemption relative to construction activity accomplished by or for a governmental unit.

Permits, as required by section ~~8-30~~ 536-201, shall be obtained for construction activity in the consolidated city accomplished by or for a governmental unit and inspections as specified by this chapter relative to such construction activity shall be allowed. Fees shall be required as specified in this division, except for the following:

- (1) Construction activity for which a fee cannot be charged by the municipality because of federal or state law; or
- (2) Construction activity accomplished by an employee of the Consolidated City of Indianapolis or the Indianapolis-Marion County Building Authority in the course of his governmental duties.

Sec. ~~8-93~~ 536-614. Fee for building permit obtained by telephone communication.

When a building permit is obtained by telephone communication (as provided for in section ~~8-36~~ 536-209) an additional fee of \$7.00 shall be assessed.

#### ARTICLE VII. PENALTIES

Sec. ~~8-100~~ 536-701. Failure to file a proper certificate of completion and compliance.

Any person, partnership or corporation which, being required to do so, fails to file with the ~~division of neighborhood and development services~~ division a certificate of completion and compliance in accordance with section ~~8-50, 8-51, 8-52 or 8-63~~ 536-301, 536-302, 536-303, or 536-304(b)(3) of this chapter or who files a certificate of completion and compliance which is false in a material respect shall not be eligible to subsequently obtain a building permit until a proper certificate of completion and compliance is filed. This sanction shall in no way limit the operation of penalties provided elsewhere in this chapter.

Sec. ~~8-101~~ 536-702. Authority to withhold issuance of permits.

Whenever a person, partnership or corporation which is either an applicant for or obtainer of a building permit owes fees (including checks returned for insufficient funds, ~~and permit fees owed pursuant to section 8-36~~ 536-209 or reinspection fees owed pursuant to section 536-611) to the ~~division of neighborhood and development services~~ division pursuant to this chapter or has failed to maintain the bond and insurance requirements of ~~this chapter 875~~, the administrator is authorized to withhold the issuance of subsequently requested permits until such time that the debt is satisfied or the bond and insurance requirements are satisfied.

Sec. ~~8-102~~ 536-703. Fees for permits obtained after commencement of work.

If work for which a permit is required by this chapter has been commenced by the obtainer without compliance with the provisions of section ~~8-30~~ 536-201, the permit fee shall be five (5) times the applicable amount stated in Article ~~II VI, Division 6~~ of this chapter plus the amount of the normal fee for the permit; provided, however, that the maximum fee incurred under this section shall be one thousand dollars (\$1,000.00) plus the amount of the normal fee for the permit. This sanction shall in no way limit the operation of penalties provided elsewhere in this chapter.

Sec. ~~8-103~~ 536-704. Revocation of permits.

The administrator of the ~~division of neighborhood and development services~~ division may revoke a building permit when:

- (1) The application, plans or supporting documents contain a false statement or misrepresentation as to a material fact; or

- (2) The application, plans or supporting documents reflect a lack of compliance with building standards and procedures; or
- (3) There is a failure to comply with the requirements of section ~~8-31, 8-32 or 8-36~~ 536-202, 536-205, or 536-209; or
- (4) The contractor has failed to maintain the surety bond or insurance required as a condition to his licensure or listing; or
- (5) The contractor has failed to maintain the insurance required by section ~~8-32~~ 536-205 as a prerequisite for obtaining a building permit for the demolition or removal of a structure in excess of seventy-five (75) feet in height.

This sanction shall in no way limit the operation of penalties provided elsewhere in this chapter.

Sec. ~~8-104~~ 536-705. Stop-work order.

Whenever the administrator of the ~~division of neighborhood and development services division~~ or ~~his~~ the administrator or the administrator's authorized representative authorized representative discovers the existence of any of the circumstances listed below, he is empowered to issue an order requiring the suspension of the pertinent construction activity. The stop-work order shall be in writing and shall state to which construction activity it is applicable and the reason for its issuance. The stop-work order shall be posted on the property in a conspicuous place and, if conveniently possible, shall be given to the person doing the construction and to the owner of the property or his agent. The stop-work order shall state the conditions under which construction may be resumed.

- (1) Construction activity is proceeding in an unsafe manner, including, by way of example and not of limitation, in violation of any standard set forth in this chapter or any state ~~standard~~ rule pertaining to safety during construction; or
- (2) Construction activity is occurring in violation of building standards and procedures or in such a manner that if construction is allowed to proceed, there is a reasonable probability that it will be substantially difficult to correct the violation; or
- (3) Construction activity has been accomplished in violation of building standards and procedures and a period of time which is one-half the time period in which construction could be completed, but no longer than fifteen (15) calendar days has elapsed since written notice of the violation or noncompliance was either posted on the property in a conspicuous place or given to the person doing the construction, without the violation or noncompliance being corrected; or
- (4) Construction activity for which a building permit is required is proceeding without a building permit being in force; in such an instance, the stop-work order shall indicate that the effect of the order terminates if the required building permit is obtained; or
- (5) Construction activity for which a building permit was issued more than thirty (30) days earlier is proceeding without there being in force applicable permits and approvals required by governmental units (including, but not limited to, department of public safety, department of public works, department of transportation, Health and Hospital Corporation of Marion County, state ~~board~~ department of health, state department of natural resources, state highway department) for compliance with standards for air quality, drainage, flood control, fire safety, vehicular access, and waste treatment and disposal on the real estate on which the structure is located; in such an instance, the stop-work order shall indicate that the order is applicable to all construction activity allowed by the building permit and that the effect of the order terminates if the required permits and approvals are obtained; or
- (6) Construction activity is occurring for which a certificate of appropriateness from the Indianapolis Historic Preservation Commission is required pursuant IC 18-4-22-1 et seq., without a certificate of appropriateness being in force; in such an instance, the stop-work order shall indicate that the effect of the order terminates if the required certificate of appropriateness is obtained.

This sanction shall in no way limit the operation of penalties provided elsewhere in this chapter.



Sec. ~~8-105~~ 536-706. Order forbidding occupancy.

The administrator of the ~~division of neighborhood and development services~~ division or ~~his~~ the administrator's authorized representative is empowered to issue an order forbidding the occupancy of any structure or part of any structure if construction activity on the structure or applicable part of the structure is not yet completed or has occurred in violation of applicable building standards and procedures.

The order forbidding occupancy shall be in writing specifying whether it is applicable to the entire structure or to only a part of the structure, and shall state the reason for its issuance. The order forbidding occupancy shall be posted on the structure in a conspicuous place and if conveniently possible, shall be given to the owner of the property or his agent and to any person doing work on the premises. The order forbidding occupancy shall state the conditions under which the structure or part of the structure may be occupied.

This sanction shall in no way limit the operation of penalties provided elsewhere in the chapter.

Sec. ~~8-106~~ 536-707. Civil action.

The Consolidated City of Indianapolis may initiate a civil action in a court of competent jurisdiction to restrain any person, partnership or corporation from violating a provision of this chapter, chapter 875 or any building standard or procedure. The purposes for which injunctive relief may be obtained shall include, but not be limited to:

- (1) Preventing a person, partnership or corporation which is not licensed as an electrical contractor, heating and cooling contractor or wrecking contractor, is not a registered plumbing contractor or is not a listed contractor from engaging in construction activity for which such licensure, registration or listing is required by ~~this~~ chapter 875; or
- (2) Enforcing the provisions of a stop-work order issued pursuant to section ~~8-104~~ 536-705; or
- (3) Enforcing the provisions of an order forbidding occupancy issued pursuant to section ~~8-105~~ 536-706; or
- (4) Preventing work in violation of a building standard or procedure; or
- (5) Requiring the reconstruction of any structure or building equipment, or part thereof, which was constructed in violation of building standards or procedures.

This sanction shall in no way limit the operation of penalties provided elsewhere in this chapter or chapter 875.

Sec. ~~8-107~~ 536-708. Securing payment of bonds and drawing against letters of credit.

(a) Recovery of funds upon a surety bond obligation or letter of credit may be made by asserting a claim against the surety or financial institution or by initiating an action in a court of competent jurisdiction.

- (1) A claim may be asserted by providing written notice of the claim to [the surety or financial institution. The written notice must] be provided within one year of the date when the work occurred which gave rise to the claim or, in the instance when a fee is not paid, one year from the date when the fee was first due and owing.
- (2) Court actions may be initiated as follows:
  - a. The corporation counsel of the Consolidated City of Indianapolis may initiate an action in a court of competent jurisdiction to recover funds upon a bond obligation or a letter of credit:
    1. To declare a forfeiture on the bond or letter of credit in an amount to be determined by the court up to ten thousand dollars (\$10,000.00) whenever any listing or license issued pursuant to this chapter or chapter 875 is suspended or revoked; or
    2. To indemnify the Consolidated City of Indianapolis against any loss, damage or expense for damages to property of the city caused by an action of the contractor, his agents, employees, principals, subcontractors, materialmen or suppliers in violation of requirements of state statute, city regulation or this Code, which requirements must be met to properly carry out construction

activity, a land alteration (as defined in section 10 1/2-9 of this Code), sewer work (as defined in section 29-1 of this Code) [or driveway work (as defined in section 28-139 of this Code)] while engaged in any construction activity, land alteration, sewer work or driveway work; or excavation work as defined in section 28-163 of this Code;

3. To secure payment of any fees owed to the Consolidated City of Indianapolis pursuant to this chapter, Chapter 875, Chapter 10½, section 27-22 or Chapter 28, Article III, Divisions 2 and 3 of this Code which have become delinquent, after reasonable notice has been given to the contractor of the delinquency.

- b. A person, partnership or corporation which holds a property interest in the real estate on which construction activity, a land alteration, sewer work, driveway work or excavation work has occurred may initiate an action in a court of competent jurisdiction against the bond or letter of credit for losses arising out of and expenses necessary to correct violations of requirements of state statute, city regulation or this Code which must be met to properly carry out construction activity, a land alteration, sewer work or driveway work, caused by any action of the contractor, his agents, employees, principals, subcontractors, materialmen or suppliers, after written notice of the Code deficiency has been given to the contractor and after the contractor is given a reasonable opportunity to correct performance. If such a person, partnership or corporation prevails in any action brought under this section, he may also recover, as part of the judgement court costs and attorneys' fees based on actual time expended determined by the court to have been reasonably incurred by the plaintiff in connection with the commencement and prosecution of such action, unless the court in its discretion shall determine that an award of court costs and attorneys' fees would be inappropriate.

(b) A surety shall have no obligation to pay on a bond and a financial institution shall have no obligation to disburse from a letter of credit for losses or expenses arising out of negligent conduct or improper workmanship unless such conduct or workmanship violates requirements of state statute, city regulation or this Code, which requirements must be met to properly carry out construction activity, a land alteration, sewer work, driveway work or excavation.

(c) A surety shall have no obligation to pay on a bond and a financial institution shall have no obligation to disburse from a letter of credit unless either written notice of the claim is given to the surety or financial institution or a court action has been initiated within one year of the date when the work occurred that gave rise to the claim or in the instance when a fee is not paid, one year from the date when the fee was first due and owing. This paragraph shall not be construed to limit the time allowed by state law for the filing of court actions.

(d) If payment is made on a bond or if a letter of credit is drawn against, such bond or letter of credit shall be deemed to not meet the requirements of section 8-168, 8-194, 8-224 or 8-254. In order to meet the requirements of section 8-168, 8-194, 8-224 or 8-254 the person, partnership or corporation shall secure a new bond or letter of credit or replenish the bond or letter of credit so that it reflects an obligation in the full amount required for listing or licensure by section 8-168, 8-194, 8-224 or 8-254.

Sec. ~~8-108~~ 536-709. General penalty.

(a) Any person, partnership or corporation violating any provision of this chapter, chapter 875 or any building standard or procedure ~~thereof~~ may be subject to a fine in any sum not exceeding two thousand five hundred dollars (\$2,500.00). This penalty shall in no way limit the operation of special penalties for specific provisions of this chapter, nor shall such special penalties in any way limit the operation of this general penalty.

(b) The minimum fine for engaging in construction activity without a license or listing, when required by this chapter or chapter 875, is one thousand dollars (\$1,000).

Sec. 536-710. Metropolitan Development Commission Penalty Guidelines.

The Metropolitan Development Commission may establish guidelines establishing recommended civil penalties for various violations of this chapter and chapter 875.

SECTION 2. The "Revised Code of the Consolidated City and County" be, and is hereby amended to add a new Sec. 875-601 to read as follows:



ARTICLE VI. DISPLAY OF SIGNS WITH SEAL

Sec. 875-601. Display of sign containing license/listing seal.

(a) Any person, partnership or corporation that is licensed under Articles II, III or IV of Chapter 875 or listed under Article I of Chapter 875 or registered under Article V of Chapter 875 may, at the work site of construction activity in which the contractor is engaged, place a sign or placard that displays both:

- (1) the name and address of the licensed or listed contractor, and
- (2) the license/listing seal of the City of Indianapolis

The sign or placard may include additional information about the contractor.

(b) The design of the license/listing seal of the City of Indianapolis shall be approved by the Metropolitan Development Commission. The Commission may adopt rules governing use of the license/listing seal.

(c) The sign or placard shall comply with applicable zoning restrictions.

(d) It shall be unlawful:

- (1) for a person, partnership or corporation that is not licensed or listed to display the license/listing seal, or
- (2) for a licensed or listed contractor to display the license/listing seal without also displaying the name and address of the contractor, or
- (3) for the seal to be used in a manner that violates rules of the Metropolitan Development Commission.

SECTION 3. The "Revised Code of the Consolidated City and County" be, and is hereby amended by amending Sec. 875-113 and Sec. 875-114 by deleting the stricken-through text and inserting the underlined text, by renumbering Sec. 875-116 as Sec. 875-117, and adding a new Sec. 875-116 to read as follows:

Sec. ~~8-172~~ 875-113. Suspension or revocation of listing for a person

The board may, pursuant to section 875-115, require the obtaining of building permits pursuant to section 875-116, suspend the listing of a person for a period of up to three hundred sixty-five (365) days or revoke the listing of a person if one of the following is shown:

- (1) The listed contractor made any materially false statement of fact on his application for listing;
- (2) The listed contractor failed to post and maintain the surety bond and insurance required by section ~~8-168~~ 875-109 and section ~~8-169~~ 875-110;
- (3) The listed contractor acted fraudulently or with deceit in his relationship with other persons, partnerships or corporations with regard to construction activity, a land alteration (as defined in section 10½-9), sewer work (as defined in section 27-1 of this Code), driveway work (as defined in section 28-139 of this Code), or excavation work (as defined in section 28-163 of this Code);
- (4) Construction activity, land alteration, sewer work, driveway work or excavation work for which the listed contractor was responsible as obtainer or as transferee of the permit was performed either incompetently or in such manner that it does not meet standards of reasonable workmanship or does not comply with building standards and procedures, provisions of state law, regulations of the city or provisions of this Code;
- (5) The listed contractor failed to correct a violation of building standards and procedures, provisions of state law, regulations of the city or provisions of this Code relative to construction activity, land alteration, sewer work driveway work or excavation work for which the listed contractor was responsible as permit obtainer or permit transferee after an authorized official or employee of the consolidated city issued a notice of code violation, revoked a permit or issued a stop-work order and the violations causing any of these actions remained uncorrected for a period of ten (10) days from the date when the listed contractor received notice of the code violation, revocation of permit or stop-work order, or in the

instance where a period of ten (10) days was not sufficient, such longer period of time as was fixed by the authorized official or employee in writing;

- (6) The listed contractor has consistently failed to apply for or obtain required permits for construction activity, land alteration, sewer work, driveway work, or excavation work accomplished by the listed contractor;
- (7) The listed contractor has consistently failed to timely file certificates of completion and compliance, as required, for construction activity accomplished pursuant to his listing;
- (8) The listed contractor consistently failed to give notice of availability for inspection at designated stages of construction activity or sewer work as required by section ~~8-61~~ 536-402 and section 27-22 of this Code;
- (9) The listed contractor has attempted to conceal violations of building standards and procedures, provisions of state law, regulations of the city or provisions of this Code relative to construction activity, land alteration, sewer work, driveway work, or excavation work;
- (10) The contractor listed under section ~~8-167~~ 875-108 is no longer employed by the consolidated city and has not met the requirements of section ~~8-166~~ 875-107;
- (11) The listed contractor has not properly paid the fee specified by section ~~8-87~~ 875-701 for a listing which has been issued, or is delinquent in other fees owed pursuant to this chapter, Chapter 536, Chapter 10½, section 27-22 or Chapter 28, Article III, Divisions 2 and 3 of this Code.

Sec. ~~8-173~~ 875-114.      Suspension or revocation of listing for a partnership or corporation

The board may, pursuant to section 875-115, require the obtaining of building permits pursuant to section 875-116, suspend the listing of a partnership or corporation for a period of up to three hundred sixty-five (365) days or revoke the listing of a partnership or corporation if one of the following is shown:

- (1) A materially false statement of fact was placed on the listed contractor's application for listing by an agent of the listed contractor;
- (2) The listed contractor failed to post and maintain the surety bond and insurance required by section ~~8-168~~ 875-109 and section ~~8-169~~ 875-110;
- (3) Agents of the listed contractor acted fraudulently or with deceit in its relationship with other persons, partnerships or corporations with regard to construction activity, a land alteration (as defined in section 10½-9), sewer work (as defined in section 28-139 of this Code), or excavation work (as defined in section 28-163 of this Code);
- (4) Construction activity, land alteration, sewer work, driveway work or excavation work for which the listed contractor was responsible as obtainer or as transferee of the permit was performed either incompetently or in such manner that it does not meet standards of reasonable workmanship or does not comply with building standards and procedures, provisions of state law, regulations of the city or provisions of this Code;
- (5) The listed contractor failed to correct a violation of building standards and procedures, provisions of state law, regulations of the city or provisions of this Code relative to construction activity, land alteration, sewer work or driveway work for which the listed contractor was responsible as permit obtainer or permit transferee after an authorized official or employee of the consolidated city issued a notice of code violation, revoked a permit or issued a stop-work order and the violation(s) causing any of these actions remained uncorrected for a period of ten (10) days from the date when the listed contractor received notice of the code violation, revocation of permit or stop-work order, or in the instance where a period of ten (10) days was not sufficient, such longer period of time as was fixed by the authorized official or employee in writing;
- (6) The listed contractor has consistently failed to apply for or obtain required permits for construction activity, land alteration, sewer work, driveway work or excavation work accomplished by the listed contractor;



- (7) The listed contractor consistently failed to give notice of availability for inspection at designated stages of construction activity or sewer work as required by section ~~8-61~~ 536-402 and section 27-22 of this Code;
- (8) The listed contractor has consistently failed to timely file certificates of completion and compliance, as required, for construction activity accomplished pursuant to its listing;
- (9) The listed contractor has not properly paid the fee specified by section ~~8-87~~ 875-701 for a listing which has been issued, or is delinquent in other fees owed pursuant to this chapter, Chapter 536, Chapter 10½, section 27-22 or Chapter 28, Article III, Divisions 2 and 3 of this Code;
- (10) The partnership presently has a partner or the corporation presently has an officer who has a listing under this ~~division~~ Article currently suspended or who has had such a listing revoked within the preceding three hundred sixty-five (365) days;
- (11) The partnership presently has a partner or the corporation presently has an officer who, within the preceding three hundred sixty-five (365) days, served as a partner in a partnership or an officer in a corporation listed under this ~~division~~ Article at the time when actions related to policies or practices of the partnership or corporation occurred when provided a primary basis on which the listing of the partnership or corporation was revoked or suspended for more than one hundred eighty (180) days;
- (12) The listed contractor has attempted to conceal violations of building standards and procedures, provisions of state law, regulations of the city or provisions of this Code relative to construction activity, land alteration, sewer work, driveway work or excavation work.

Sec. ~~8-173.5~~ 875-116. Requirement that a contractor secure building permits

The board may, pursuant to sec. 875-115, require that a listed contractor obtain building permits for construction activity set forth in sec. 536-201 that is otherwise exempt from building permit requirements. The board shall specify the kinds of construction activity for which permits must be obtained and shall specify the duration of the requirement. The period of time for which this requirement may be imposed shall not exceed one hundred eighty (180) days.

SECTION 4. Chapter 875 of the Revised Code of the Consolidated City and County be, and is hereby, amended to add a new Article VII to read as follows:

ARTICLE VII. FEES

Sec. ~~8-87~~ 875-701. Listing, registration and license fees.

- (a) General contractors, annual listing fee for sole proprietors --\$75.00.
- (b) Plumbing contractors, annual registration fee for sole proprietors--\$55.00.
- (c) Electrical contractors, annual license fee:
  - (1) Master electrical--\$100.00.
  - (2) Residential electrical--\$75.00.
- (d) Heating and cooling contractors, annual license fee:
  - (1) Heavy commercial (unrestricted), Air Conditioning "A", light commercial/ residential, Air Conditioning "B", Air Conditioning "D", steam and refrigeration licenses--\$100.00.
  - (2) Residential and all services licenses--\$75.00.
- (e) Wrecking contractors, annual license fee:
  - (1) Type A--\$125.00.
  - (2) Type B--\$100.00.

- (3) Type C--\$75.00.
- (f) Licensure, listing and registration fees for partnerships and corporations shall be \$100.00:
- (1) A listed contractor shall be allowed five (5) names which includes officers, partners or employees of the corporation who are eligible to obtain permits. An additional \$40.00 shall be charged for each subsequent name.
- (g) Plumbing registration fees for individuals within a corporation who are eligible to obtain permits--\$45.00.
- (h) A person who meets the inspector status requirements stated in section 8-167, 8-192, 8-222 or 8-252 is relieved of the requirement of the annual license, listing [or registration] fees.

Sec. ~~8-88~~ 875-702. Examination fees.

Fees for examinations which are required as a condition to contractor licensure shall be in the amounts following, or be in the amounts established as the actual cost incurred by the neighborhood and development services division in having an outside organization prepare and grade such examinations, whichever amount shall be greater:

- (1) Electrical examination fee--\$100.00.
- (2) Heating and cooling examination fee--\$100.00.
- (3) Wrecking examination fee--\$100.00.

SECTION 5. Chapter 875 is amended by deleting the text "section 8-31" in Sec. 875-221 and Sec. 875-420 and inserting in lieu thereof, the text "Sec. 536-202."

SECTION 6. Chapter 875 is amended by deleting the text "section 8-31(b), (d) or (e)" in Sec. 875-101 and inserting in lieu thereof the text "Sec. 536-202 (a) (2), (4), or (5)."

SECTION 7. Chapter 875 is amended by deleting the text "section 8-61" where it appears in Sec. 875-113 (8), Sec. 875-114 (7), Sec. 875-223 (9), Sec. 875-224 (7), Sec. 875-222 (8), Sec. 875-322 (8), Sec. 875-323 (7), Sec. 875-421 (8), Sec. 875-422 (7) and inserting in lieu thereof the text "Sec. 536-402."

SECTION 8. Chapter 875 is amended by deleting the text "section 8-87" where it appears in Sec. 875-107 (2), Sec. 875-113 (11), Sec. 875-114 (9), Sec. 875-208 (5), Sec. 875-215 (7), Sec. 875-223 (13), Sec. 875-224 (9), Sec. 875-307 (5), Sec. 875-314 (7), Sec. 875-322 (13), Sec. 875-323 (9), Sec. 875-407 (5), Sec. 875-421 (13), Sec. 875-422 (9), Sec. 875-501 and inserting in lieu thereof in each instance the text "Sec. 875-701."

SECTION 9. Chapter 875 is amended by deleting the text "by Article II, Division 6 of Chapter 8 of the Code" where it appears in Sec. 875-414 (7) and inserting in lieu thereof "Sec. 875-701."

SECTION 10. Chapter 875 is amended by deleting the text "section 8-247" in Sec. 875-403 and inserting in lieu thereof the text "Sec. 875-408."

SECTION 11. This ordinance shall be in full force and effect on and after January 1, 1995, upon compliance with IC 35-3-4-14.

PROPOSAL NO. 396, 1994. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 396, 1994 on November 15, 1994. The proposal, sponsored by Councillor West, amends the Revised Code to terminate the Public Housing Division as a division of the Department of Metropolitan Development and establish a new Public Housing Agency. By a 4-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Curry moved, seconded by Councillor Dowden, for adoption.



Councillor Boyd moved to amend Proposal No. 396, 1994, as amended in Committee, by adding at the end of Sec. 285-411 (a) the following language:

One member of the board will be nominated for appointment by the political party holding the highest number of seats on the City-County Council; one member of the board will be nominated for appointment by the political party holding the second highest number of seats on the City-County Council.

Councillor Short seconded this motion.

Councillor Borst stated that he thought all motions to amend were to be in a written format in order to be considered by the Council. Councillor Boyd's motion is not. He asked Councillor Boyd how this amendment would make it different from the current process. Councillor Boyd said that the language that has caused problems in the past has been language that no more than--for whatever the number might be--may be from the same political party. Usually nominations for independents are then submitted. With this amendment one of the seven members on the Public Housing Board will be clearly nominated by the minority party.

The President said that as long as the amendment is clear, he will accept it even if it is not in a written format.

Councillor West said that he believes this amendment will exclude independents and third party candidates. He also believes that the Council should nominate persons, not the political parties.

Councillor Franklin stated that he supports Councillor Boyd's amendment because virtually all twenty-seven hundred units of public housing are located in the districts of the minority councillors. For that reason he feels Councillor Boyd's request is fair and should be given consideration.

Councillor Boyd's amendment passed on the following roll call vote; viz:

*15 YEAS: Black, Boyd, Brents, Coughenour, Franklin, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, SerVaas, Short, Williams*

*13 NAYS: Beadling, Borst, Curry, Dowden, Gilmer, Hinkle, O'Dell, Rhodes, Ruhmkorff, Schneider, Shambaugh, Smith, West*

*1 NOT VOTING: Giffin*

Councillor Borst said that the substance of the proposal is very good. He believes that John Nelson, Jr., Director, Public Housing Division, has been excellent to work with and perhaps now he can focus on safe, decent and affordable housing for Marion County residents.

Councillor Short voiced his support for this proposal and moved the question.

The President recognized Robert Elrod, General Counsel. Mr. Elrod said that the copy of Proposal No. 396, 1994, as amended, that was distributed is missing the effective date in Section 10. The Committee amended Section 10 at their November 15, 1994 meeting. Section 10 should read as follows:

November 28, 1994

SECTION 10. This ordinance shall be in full force and effect on and after January 1, 1995 upon compliance with IC 36-3-4-14.

Councillor Curry so moved because he said the effective date was discussed in Committee. Councillor McClamroch seconded this technical amendment, and it passed by consent.

The President said that he believes the whole effort of this proposal has been to encourage Mr. Nelson to continue to do the fine work that he is doing. Should he leave, this effort could resort back to its former status. The Council will monitor this change.

Proposal No. 396, 1994, as amended, was adopted on the following roll call vote; viz:

20 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, Ruhmkorff, SerVaas, Short, West, Williams*  
8 NAYS: *Dowden, Gilmer, Hinkle, O'Dell, Rhodes, Schneider, Shambaugh, Smith*  
1 NOT VOTING: *Giffin*

Proposal No. 396, 1994, as amended, was retitled GENERAL ORDINANCE NO. 161, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 161, 1994

A GENERAL ORDINANCE amending Sections 231-12, 231-13, 231-21, 231-301, and 231-311 of the Revised Code to terminate the Public Housing Division as a division of the Department of Metropolitan Development and establish a new Public Housing Agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 231-12 of the Revised Code of the Consolidated City and County is hereby amended to terminate the Public Housing Division by inserting the underlined language and deleting the stricken-through language as follows:

Section 231-12. Duties.

The director of the department of metropolitan development shall:

- (1) Prepare and submit a budget as required by IC 36-3-6-4(b)(1);
- (2) Establish operational procedures;
- (3) Approve the hiring and dismissal of personnel subject to limitations prescribed by law and rules adopted by the mayor;
- (4) Delegate to personnel of the department authority to act on the director's behalf;
- (5) Assign tasks to employees of the department and supervise the carrying out of those responsibilities;
- (6) Act as a hearing authority relative to unsafe buildings, or appoint a person to act as a hearing authority, as provided in IC 36-7-9;
- (7) Approve and execute legal instruments subject to limitations prescribed by law;
- (8) Approve or disapprove disbursement of funds subject to limitations prescribed by law;
- (9) Receive pertinent information, engage in departmental planning and establish policies and goals for the department subject to limitations prescribed by law, direction provided by the mayor, and policies and goals properly established by the metropolitan development commission;



- (10) Coordinate the activities of divisions within the department;
- (11) Assign to a division in the department any power or duty which the law specifies is to be exercised by the division of planning and zoning of the metropolitan planning department, in instances where this Code does not indicate a responsible division or agency;
- (12) Appoint an administrator to manage each division of the department, subject to the approval of the mayor;
- (13) Provide advice and assistance to the historic preservation commission, as established by IC 36-7-11.1, and the administrator of its staff in coordinating the programs and policies of the department with historic preservation programs and policies, to review the work program of the commission as provided by IC 36-7-11.1-4 and to provide advice in the appointment of the administrator as provided in IC 36-7-11.1-4;
- ~~(14) Report to the city-county council annually, or more frequently as the council may direct, on the operations of the public housing division with respect to public housing in Indianapolis and Marion County;~~
- (154) Designate and authorize the receipt and distribution of all funds received by the city pursuant to an act of the United States Congress entitled the Housing and Community Development Act of 1974, as amended. The granting of this power shall not limit the power of the mayor to execute agreements with the United States Government to receive those funds; and
- (165) Any other responsibilities granted by statute or ordinance or delegated by the mayor.

SECTION 2. Section 231-13 of the Revised Code of the Consolidated City and County is hereby amended to terminate the Public Housing Division by inserting the underlined language and deleting the stricken-through language as follows:

Sec. 231-13. Divisions established.

The department of metropolitan development shall be composed of the following divisions:

- (1) Neighborhood and development service division.
- (2) Planning division.
- ~~(3) Public housing division.~~
- (43) Financial services division.

SECTION 3. Section 231-21 of the Revised Code of the Consolidated City and County is hereby amended to terminate the Public Housing Division by inserting the underlined language and deleting the stricken-through language as follows:

Sec. 231-21. Metropolitan development commission.

(a) The metropolitan development commission is established in the department of metropolitan development as authorized by IC 36-7-4-202.

(b) The metropolitan development commission shall have the following powers and duties:

- (1) Approve the award and amendment of all contracts for lease or purchase of capital equipment;
- (2) Approve the employment of all persons engaged by contract to render professional or consulting services;
- (3) Approve all acquisition of interest in real estate;
- (4) Approve all contracts for public work as defined in IC 36-1-12;

- (5) Powers and duties granted to the metropolitan development commission by IC 36-7-4;
- (6) Powers and duties granted to the metropolitan development commission by IC 36-7-15.1; and
- ~~(7) Approve the location of and general development plans for real estate proposed to be acquired by the public housing division for the purpose of providing public housing, as a condition of its acquisition by the division; and~~

~~(8)~~ All other powers and duties granted by statute or ordinance.

(c) Notwithstanding what is stated above in subsection (b), the metropolitan development commission is not:

- (1) Authorized to approve the receipt or distribution of community development grant funds.
- (2) Required to approve or execute the award or amendment of any contract let by the department for public works or for the lease or purchase of capital equipment when the contract is not required to be bid under state law.

SECTION 4. Section 231-301 of the Revised Code of the Consolidated City and County is hereby amended to terminate the Public Housing Division by deleting the stricken-through language as follows:

~~Sec. 231-301. Public housing division.~~

~~(a) The public housing division is responsible for the management, operation, maintenance and administration of public housing and public housing projects, and the provision of safe, sanitary and affordable dwelling accommodations for qualified persons of low and moderate income.~~

~~(b) Powers and duties of the division include:~~

- ~~(1) To acquire, lease, and operate housing projects;~~
- ~~(2) To provide for the construction, reconstruction, improvement, alteration, or repair of all or any part of a housing project;~~
- ~~(3) To acquire, lease, or rent any land, buildings, structures or facilities included in, or associated with, a housing project;~~
- ~~(4) To acquire any interest in real or personal property in any manner, including the power granted under IC 36-1-4-5;~~
- ~~(5) To dispose of any interest in real or personal property;~~
- ~~(6) To provide for the insurance of the property or the operations of the division against risk or hazard;~~
- ~~(7) To obtain from the federal government insurance or guarantees for the payment of any debts secured by mortgages on property included in a housing project, regardless of whether those debts were incurred by the division;~~
- ~~(8) To receive approval from the metropolitan development commission prior to the acquisition by the division of any real property, of both the proposed location and the general development plans;~~
- ~~(9) The division may also provide housing for persons engaged in national defense activities or for victims of a major disaster; and~~
- ~~(10) Any other powers and duties granted by statute or ordinance or delegated by the mayor.~~

SECTION 5. Section 231-311 of the Revised Code of the Consolidated City and County is hereby amended to terminate the Public Housing Division by deleting the stricken-through language as follows:

~~Sec. 231-311. Public housing advisory council.~~



~~(a) There is established a public housing advisory council in the department of metropolitan development. The advisory council shall consist of nine (9) community members who possess a broad base of experience in the areas of community services, community relations, apartment management and maintenance, finance, and tenant relations. The advisory council shall provide advice and counsel to the public housing division, through its administrator, concerning the management and operation of public housing in Indianapolis and Marion County.~~

~~(b) Appointments to the advisory council shall be made as follows:~~

~~(1) Two (2) members appointed by the mayor for an initial three-year term;~~

~~(2) Two (2) members appointed by the mayor for an initial two-year term;~~

~~(3) One member who shall be a tenant of a housing project, appointed by the mayor for an initial one-year term;~~

~~(4) One member appointed by the city-county council for an initial three-year term;~~

~~(5) One member appointed by the city-county council for an initial two-year term; and~~

~~(6) Two (2) members, of whom one shall be a city-county councillor, appointed by the city-county council for an initial one-year term;~~

~~Subsequent appointments shall be for a two-year term.~~

~~(c) All members shall serve at the pleasure of the appropriate appointing authority and shall be eligible for reappointment. Members shall serve in person and without compensation.~~

~~(d) The officers of the advisory council shall consist of a chairperson and a secretary, who shall be elected by the advisory council at their first meeting, and annually thereafter. The chairperson shall be the presiding officer of the advisory council, and the secretary shall be its recording officer.~~

~~(e) The advisory council shall establish a meeting schedule, and may meet at such other times and places as may be needed in special session called by the chairperson. All meetings, whether regular or special, shall be open to the public.~~

SECTION 6. The Revised Code of the Consolidated City and County is hereby amended by adding a new Article IV in Chapter 285 to read as follows:

#### ARTICLE IV. INDIANAPOLIS PUBLIC HOUSING AGENCY

Sec. 285-401. Agency established.

Pursuant to IC 36-7-18-1(b), there is hereby established an Indianapolis Public Housing Agency to perform the public housing function in Indianapolis and Marion County, Indiana.

Sec. 285-402. Powers.

(a) The Indianapolis Public Housing Agency is responsible for the management, operation, maintenance and administration of public housing and public housing projects, and the provision of safe, sanitary and affordable dwelling accommodations for qualified persons of low and moderate income.

(b) The Indianapolis Public Housing Agency shall:

(1) Acquire, lease, and operate housing projects;

(2) Provide for the construction, reconstruction, improvement, alteration, or repair of all or any part of a housing project;

(3) Acquire, lease, or rent any land, buildings, structures or facilities included in, or associated with, a housing project;

- (4) Fix the rentals or charges for property it rents or leases;
- (5) Own, hold, and improve real or personal property;
- (6) Acquire any interest in real or personal property in any manner, including the power granted under IC 36-1-4-5;
- (7) Dispose of any interest in real or personal property;
- (8) Provide for the insurance of the property or the operations of the agency against risk or hazard;
- (9) Obtain from the federal government insurance or guarantees for the payment of any debts secured by mortgages on property included in a housing project, regardless of whether those debts were incurred by the agency;
- (10) Provide housing for persons engaged in national defense activities or for victims of a major disaster;
- (11) Receive HUD grants, subsidies and other monies for the development and improvement of public housing and other federally-assisted programs. In accordance with all HUD rules and regulations and without further approval from the City, the Indianapolis Public Housing Agency shall establish all necessary accounts to enable it to expend and receive money; and
- (12) Exercise any other powers and duties designated in IC 36-7-18-1.5 and any additional powers granted by statute or ordinance.

Sec. 285-411. Public housing board established.

(a) There is hereby established a public housing board. The public housing board shall consist of seven (7) members, no more than four (4) of whom may be of the same political party: four (4) members appointed by the mayor, one of whom shall be a representative of the family housing community; and three (3) members appointed by the city-county council, one of whom shall be a representative of the senior housing community. One member of the board will be nominated for appointment by the political party holding the highest number of seats on the city-county council. One member of the board will be nominated for appointment by the political party holding the second highest number of seats on the city-county council.

(b) The terms of the members of the public housing board shall be as follows:

- (1) The representative of the family housing community appointed by the mayor shall serve an initial one-year term ending December 31, 1995;
- (2) The representative of the senior housing community appointed by the city-county council shall serve an initial one-year term ending December 31, 1995;
- (3) Two (2) members appointed by the mayor shall serve an initial four-year term ending December 31, 1998;
- (4) One (1) member appointed by the mayor shall serve an initial three-year term ending December 31, 1997;
- (5) One (1) member appointed by the city-county council shall serve an initial two-year term ending December 31, 1996; and
- (6) One (1) member appointed by the city-county council shall serve an initial three-year term ending December 31, 1997.

Subsequent appointments shall be for four-year terms with the exception of the family and senior housing community representatives who shall be reappointed on an annual basis, provided that all terms shall end upon abolishment of agency or transfer of all its powers.

(c) All members shall serve at the pleasure of the appropriate appointing authority and shall be eligible for reappointment. Members shall serve in person and without compensation.



(d) The officers of the public housing board shall consist of a chairperson and a vice-chairperson, who shall be elected by the board at its first meeting and annually thereafter at the regular March meeting. The executive director of the Indianapolis Public Housing Agency shall serve as secretary. The chairperson shall be the presiding officer of the board, and the secretary shall be its recording officer.

Sec. 285-412. Meetings.

The public housing board shall hold regular meetings at least once a month at times and places prescribed by its rules or established by resolution. No notice to members is required for holding or taking any action at a regular meeting. A special meeting of the board may be called by the presiding officer or by three-sevenths of the members at any place in the county designated in the call. Each member shall be notified of the time and place of such a meeting by written notice which must be delivered, mailed or sent by telegram so that each member has at least forty-eight (48) hours' notice of the meeting. The notice requirement may be waived as to a member if he attends the meeting or executes a written waiver of notice. The waiver may be executed either before or after the meeting, but if executed after, it must state in general terms the purpose of the meeting.

Sec. 285-413. Board action.

A majority of all members of the board constitutes a quorum. A majority vote of all board members is required to take official action.

Sec. 285-414. Powers.

The public housing board shall:

- (1) Approve the award and amendment of all contracts for lease or purchase of capital equipment;
- (2) Approve the employment of all persons engaged by contract to render professional or consulting services;
- (3) Approve all acquisition of interest in real estate;
- (4) Approve all contracts for public work as defined in IC 36-1-12;
- (5) Approve the location of and general development plans for real estate proposed to be acquired by the Indianapolis Public Housing Agency for the purpose of providing public housing, as a condition of its acquisition by the agency;
- (6) Exercise any other powers and duties granted by statute or ordinance.

Sec. 285-421. Executive director.

The Indianapolis Public Housing Agency shall be administered by an executive director appointed by the mayor, subject to confirmation by the city-county council and the public housing board, to serve at the pleasure of the board for a designated term.

Sec. 285-422. Duties.

The executive director of the Indianapolis Public Housing Agency shall:

- (1) Establish operational procedures;
- (2) Prepare and submit all operating budgets to the public housing board for review and approval on an annual basis and submit an annual operating budget to the city-county council for review one hundred twenty (120) days before the end of the fiscal year;
- (3) Submit for city-county council approval all expenditures of COIT funds;
- (4) Approve the hiring and dismissal of personnel subject to limitations prescribed by law and in accordance with the Indianapolis Public Housing Agency personnel policy and with all HUD guidelines;

- (5) Delegate to personnel of the agency authority to act on the executive director's behalf;
- (6) Assign tasks to employees of the agency and supervise the carrying out of those responsibilities;
- (7) Approve and execute legal instruments subject to limitations prescribed by law;
- (8) Approve or disapprove disbursement of funds subject to limitations prescribed by law;
- (9) Receive pertinent information, engage in agency planning, and establish policies and goals for the agency subject to limitations prescribed by law and in accordance with all HUD rules and regulations, and all policies and goals properly established by the public housing board;
- (10) Coordinate the activities of departments within the agency;
- (11) Submit quarterly written reports to the city-county council on behalf of the agency and appear at the request of the appropriate council committee to review said reports. Said reports shall be based upon the HUD public housing management assessment criteria (i.e., tenant accounts receivable, fiscal management, maintenance response, modernization management, and related matters); and
- (12) Exercise any other powers and duties granted by statute or ordinance or delegated by the public housing board.

SECTION 7. Two (2) years after the date the Indianapolis Public Housing Agency succeeds the Public Housing Division of the Department of Metropolitan Development of the City of Indianapolis in its duties to operate safe and sanitary dwelling accommodations for persons of low income, the appropriate council committee shall review the status of the Indianapolis Public Housing Agency and recommend to the city-county council whether the Indianapolis Public Housing Agency should: (1) become a stand-alone housing authority; (2) continue as an agency; or (3) return to being a division of the Department of Metropolitan Development. If the city-county council fails to act upon the recommendation of the committee, the Indianapolis Public Housing Agency shall continue as an agency until such time as the city-county council directs otherwise.

SECTION 8. The express or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 9. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end, the provisions of this ordinance are severable.

SECTION 10. This ordinance shall be in full force and effect on and after January 1, 1995, upon compliance with IC 36-3-4-14.

PROPOSAL NOS. 397, 453 and 525, 1994. PROPOSAL NO. 397, 1994. The proposal determines the need for a housing authority in Indianapolis and Marion County to carry out the public housing function. PROPOSAL NO. 453, 1994. The proposal amends the Code authorizing a multi-way stop at Washington Boulevard and 32nd Street (Districts 6, 22). PROPOSAL NO. 525, 1994. The proposal amends the Code by authorizing a multi-way stop at Illinois Street and 43rd Street, Westbound (District 6). The President asked for consent to strike Proposal Nos. 397, 453 and 525, 1994. Consent was given.

PROPOSAL NO. 526, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 526, 1994 on October 5, 1994. On that date, by a 5-0 vote, it recommended to the Council that it do pass. On October 17, 1994 the Council voted to return the proposal to Committee. The proposal, sponsored by Councillors Schneider and Rhodes, amends the Code by authorizing a traffic signal at 86th Street and Haverstick Road



(Districts 3, 7). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Schneider asked for consent to postpone Proposal No. 526, 1994 until December 12, 1994. Consent was given.

PROPOSAL NO. 528, 1994. The proposal, sponsored by Councillor Brents, amends the Code by authorizing reserved parking spaces for State War Memorial vehicle parking (District 16). Councillor Gilmer asked for consent to strike Proposal No. 528, 1994. Consent was given.

PROPOSAL NO. 586, 1994. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 586, 1994 on November 15, 1994. The proposal, sponsored by Councillor McClamroch, requests the Indianapolis-Marion County Building Authority to prepare specifications for provision of security services for the courts and to issue a request for proposals from private companies for such services. By a 5-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Curry moved, seconded by Councillor McClamroch, for adoption.

Councillor Ruhmkorff asked if the guards to secure the building will be from the private sector or city-county employees. Councillor Curry said that there are two requests for proposals (RFP)--one is for equipment only and city-county personnel would be used. The second RFP is for manpower and equipment and that would be from a private security firm.

Councillor Beadling asked if the security personnel for this job will have police powers to arrest. Councillor McClamroch said it is not anticipated that police officers or sheriff's deputies would be hired for this security project. It is more likely that bailiffs would perform that function.

Councillor Jimison asked what is the time frame for these RFP's. Councillor Curry replied that the time is uncertain, but he believes that Building Authority will have a report by the first Rules and Public Policy Committee meeting in January.

Councillor O'Dell said that the taxpayers already pay for bailiffs in the courts and believes they should be used for securing the courts. The President replied that the present bailiffs are now assigned other duties in the courts.

Councillor Williams stated that the bailiffs now are working full time on calendaring, dealing with the public and dealing with issues. The vision that bailiffs just stand around with nothing to do is archaic.

Councillor Franklin said that he has done some research on bailiffs and their job description is to protect the courts and keep the peace.

Proposal No. 586, 1994 was adopted on the following roll call vote; viz:

*21 YEAS: Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, West*

*6 NAYS: Beadling, Black, Gray, O'Dell, Ruhmkorff, Williams*

*2 NOT VOTING: Giffin, Gilmer*

Councillor Beadling asked for consent to explain her vote. Consent was given. Councillor Beadling said that she has concerns about Building Authority preparing specifications to provide court security. She said she would like to see the Council's attorney or some other attorney work with Building Authority on the legality of such matters as the personnel hired for court security to carry guns.

Proposal No. 586, 1994 was retitled COUNCIL RESOLUTION NO. 83, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 83, 1994

A COUNCIL RESOLUTION requesting the Indianapolis-Marion County Building Authority to prepare specifications for provision of security services for the courts and to issue a request for proposals.

WHEREAS, there are continuing discussions about the security needs of various judges and courtrooms in the city-county building; and

WHEREAS, the Council has previously requested the Indianapolis-Marion County Building Authority to report on certain aspects of providing such security; and

WHEREAS, privatization of governmental services is one of the options that should be evaluated; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis-Marion County Building Authority is requested to prepare specifications for provision of security services for the courts and to issue a request for proposals (RFP) inviting private security services to compete for the provision of such services under contract.

PROPOSAL NO. 587, 1994. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 587, 1994 on November 15, 1994. The proposal, sponsored by Councillor Gilmer, approves an amendment to the public lighting contract between the Indianapolis Power & Light Company and the City. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Curry moved, seconded by Councillor Gilmer, for adoption. Proposal No. 587, 1994 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

2 NOT VOTING: *Giffin, Schneider*

Proposal No. 587, 1994 was retitled SPECIAL RESOLUTION NO. 82, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 82, 1994

A SPECIAL RESOLUTION approving an amendment to the public lighting contract between the Indianapolis Power & Light Company and the City of Indianapolis.

WHEREAS, the City of Indianapolis has entered into a public lighting contract with the Indianapolis Power & Light Company dated July 1, 1985; and



WHEREAS, Section 271-25(12) of the Revised Code of the Consolidated City and County requires City-County Council approval of any contract for providing streetlights, maintenance for streetlights and lighting for streets, alleys or public places; and

WHEREAS, the City of Indianapolis and the Indianapolis Power & Light Company desire to amend the renewal provision of the public lighting contract and extend the term of the contract to and including June 30, 1995, with a provision for month-to-month renewal; and

WHEREAS, the City-County Council now finds that it is appropriate to approve an amendment to the public lighting contract to extend the term of the contract to and including June 30, 1995, with a provision for month-to-month renewal.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council hereby approves an amendment to the public lighting contract between the Indianapolis Power & Light Company and the City of Indianapolis dated July 1, 1985, extending the term of the contract to and including June 30, 1995, with automatic renewal for up to fifty-four (54) successive thirty (30) day periods by the City; unless either party shall terminate the contract by giving the other party written notice at least fifteen (15) days prior to the expiration of the then current extended or renewal term.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

AMENDMENT NO. 1  
TO  
PUBLIC LIGHTING CONTRACT  
OF  
INDIANAPOLIS POWER & LIGHT COMPANY  
WITH  
CITY OF INDIANAPOLIS

This Amendment No. 1, entered into by and between the Indianapolis Power & Light Company (hereinafter referred to as "Company") and the City of Indianapolis (hereinafter referred to as "City");

WITNESSETH THAT:

WHEREAS, Company and City entered into a contractual agreement (hereinafter referred to as "Contract") on April 4, 1985, to furnish and supply City with street lights and energy for traffic control signals; and

WHEREAS, the initial term of the Contract was July 1, 1985, to January 1, 1990, with an automatic renewal provision for successive terms of five (5) years each; and

WHEREAS, the parties now wish to amend the renewal provision of the Contract and extend the term of the Contract to and including June 30, 1995, with a provision for month-to-month renewal.

NOW, THEREFORE, in consideration of the terms and conditions expressed herein, Company and City agree as follows:

1. The renewal provision in section 4 of the Contract shall be amended as herein provided.
2. The term of the Contract shall be extended to and including June 30, 1995.
3. The Contract may be automatically renewed for up to fifty-four (54) successive thirty (30) day periods unless either party shall terminate the Contract by giving the other party written notice at least fifteen (15) days prior to the expiration of the then current extended or renewal term.
4. Except as herein modified, all other terms and conditions of the Contract shall remain in full force and effect.

IN WITNESS WHEREOF, Company and City have executed this Amendment No. 1 on this \_\_\_\_\_ day of \_\_\_\_\_, 1994.

November 28, 1994

INDIANAPOLIS POWER & LIGHT COMPANY

CITY OF INDIANAPOLIS

By: \_\_\_\_\_

By: \_\_\_\_\_

Printed: \_\_\_\_\_

Gregory L. Henneke, Director  
Department of Capital Asset Management

Title: \_\_\_\_\_

ATTEST: \_\_\_\_\_

ATTEST: \_\_\_\_\_

By: \_\_\_\_\_

Ruth Landreth, Secretary

APPROVED AS TO FORM AND LEGALITY:

By: \_\_\_\_\_

Jane A. Morrison,  
Assistant Corporation Counsel, City of Indianapolis

APPROVED:

By: \_\_\_\_\_

James H. Steele Jr., Controller  
City of Indianapolis

Approved by the Capital Asset Management Board this \_\_\_\_ day of \_\_\_\_\_, 1994:

\_\_\_\_\_  
Gregory L. Henneke, Chairman

\_\_\_\_\_  
Howard Howe

\_\_\_\_\_  
Arno W. Haupt

\_\_\_\_\_  
Moir Carlstedt

\_\_\_\_\_  
Charles S. Eberhardt, II

ATTEST:

\_\_\_\_\_  
Ruth Landreth, Secretary

Approved by the City-County Council this \_\_\_\_ day of \_\_\_\_\_, 1994:

\_\_\_\_\_  
Dr. Beurt SerVaas, President, City-County Council

\_\_\_\_\_  
Suellen Hart, Clerk, City-County Council

Approved this \_\_\_\_ day of \_\_\_\_\_, 1994:

\_\_\_\_\_  
Stephen Goldsmith, Mayor, City of Indianapolis

PROPOSAL NO. 603, 1994. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 603, 1994 on November 15, 1994. The proposal, sponsored by Councillor McClamroch, amends the Rules of Council with respect to public hearings on requests for additional appropriations. By a 6-0 vote, the Committee reported the proposal



to the Council with the recommendation that it do pass. Councillor Curry moved, seconded by Councillor Dowden, for adoption. Proposal No. 603, 1994 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith, West, Williams*  
0 NAYS:  
2 NOT VOTING: *Giffin, Short*

Proposal No. 603, 1994 was retitled GENERAL ORDINANCE NO. 162, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 162, 1994

A PROPOSAL FOR A GENERAL ORDINANCE amending the Rules of Council with respect to public hearings on requests for additional appropriations.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sec. 151-76 of the Revised Code of the Consolidated City and County be, and is hereby, amended by inserting the underlined text, to read as follows:

Sec. 151-76. Public hearings.

Whenever a proposal is such that by law a hearing must be held before the entire council, the clerk shall advertise the hearing on the date set by the president and place the proposal on the agenda for that meeting under the order of business "special orders: public hearings," in the order of introduction. If the proposal is one for which a report of the chief financial officer is required under subsection (b) of Sec. 151-64 and the source of funding for such appropriation is not a state or federal grant, the public hearing shall not be scheduled before the first regular meeting more than thirty (30) days after the proposal is introduced.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 612, 1994. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 612, 1994 on November 17, 1994. The proposal amends the Code by changing the provision of solid waste collection and disposal services for multi-family residences. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Coughenour moved, seconded by Councillor Rhodes, for adoption. Proposal No. 612, 1994 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
0 NAYS:  
2 NOT VOTING: *Dowden, Giffin*

Proposal No. 612, 1994 was retitled GENERAL ORDINANCE NO. 163, 1994 and reads as follows:

November 28, 1994

CITY-COUNTY GENERAL ORDINANCE NO. 163, 1994

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County, Indiana to change the provision of solid waste collection and disposal services for multi-family residences.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sections 13-1, 13-3, and 13-12 of the Code are hereby amended by inserting the underlined text and deleting the stricken-through text to read as follows:

Sec. 13-1. Definitions.

The following definition shall apply in this chapter, unless otherwise indicated clearly by text:

- (1) *Containerized collection* means all mechanized collection of solid waste from dumpsters by front loading, rear loading and roll-off vehicles.
- (2) *Dumpster* means a receptacle used to contain solid waste and designed for mechanical pick up and provided by a hauler for use by the customer.
- (3) *Garbage* means all putrescible animal solid, vegetable solid and semi-solid wastes resulting from the processing, handling, preparation, cooking, serving or consumption of food or food materials, excluding human excreta.
- (4) *Incinerator* means any apparatus to burn waste substances in which all the factors of combustion-temperature, retention time, turbulence and combustion air-can be controlled.
- (5) *Landfill* means a sanitary landfill.
- (6) *Multi-Family Residence* means a structure containing five or more residential units, and does not include condominiums.
- ~~(67)~~ *Noncommercial vehicle* means a vehicle used for the purpose of transporting solid waste including, but not limited to, pick-up trucks, cars, vans, dump trucks, and U-hauls and shall not mean rear loaders, front loaders, roll-off trucks, roll-off containers or sideloaders.
- ~~(78)~~ *Processing* means the method, system or other treatment of solid wastes so as to change their chemical or physical form or affect it for disposal or recovery of material, but excluding vehicles for transportation or landfills.
- ~~(89)~~ *Recycling station* means a facility for the processing or storage of separated solid wastes prior to transportation to markets.
- ~~(910)~~ *Refuse* means all putrescible and nonputrescible solid and semi-solid wastes, except human excreta, but including ashes, street cleanings, offal and solid commercial, industrial and institutional wastes.
- ~~(101)~~ *Residential solid waste* means all refuse, garbage and rubbish generated by persons in noncommercial settings, and may include food wastes, paper, cardboard, bottles, metal cans, plastics, cloth, wood, tarp, Christmas trees, accumulations of leaves, grass or shrubbery cuttings and other refuse attending the care of lawns, shrubbery, vines, trees, and tree limbs. Residential solid waste shall not include discarded building materials, trees, brush and other vegetation resulting from the activities of building contractors, commercial tree trimmers or commercial lawn services, larger quantities of sod, dirt and trash from land clearing and other materials requiring special handling.
- (12) *Resource Recovery* means the buildings and equipment located at 2320 South Harding Street, Indianapolis, Indiana.
- ~~(143)~~ *Rubbish* means all nonputrescible solid wastes, such as cardboard, paper, plastic, metal or glass food containers, rags, waste metal, yard clippings, small pieces of wood, excelsior, rubbish, leather, crockery, and other waste materials that ordinarily accumulate around a home, business or industry.
- ~~(124)~~ *Salvaging* means the controlled removal of materials from solid wastes for utilization.



(135) *Sanitary landfill* means an engineering method of disposing of refuse on land in a manner that protects the public health and environment by spreading the waste in thin layers, compacting it to the smallest practical volume, and covering it with compacted soil at the end of each working day.

(16) *Single Family Residence* means a condominium and/or a structure containing four or less residential units, unless it is a component of multiple structures that together constitute an apartment complex operating under the same ownership.

(147) *Solid waste* means all rubbish, garbage and refuse.

Sec. 13-3. Duty to prepare solid wastes for collection.

Any person accumulating residential solid waste on any ~~premises~~ Single Family Residence owned or controlled by him, and desiring such solid waste to be collected and removed by the city or persons under contract with or licensed by the city, shall prepare and set out such solid waste according to the rules and regulations promulgated by the department of public works. Residential solid waste prepared and set out in this manner is presumed to be abandoned, and the owner's rights in such solid waste are relinquished upon collection and removal by the city, or persons under contract with or licensed by the city.

Sec. 13-12. Services for ~~apartments and condominiums~~ multi-family residences.

~~Any apartment or condominium constructed after January 1, 1990, shall receive:~~

~~(1) A maximum of three (3) pickups of residential solid waste per week if such facility receives containerized collection; or~~

~~(2) A maximum of one (1) pick up of residential solid waste per week if such facility receives hand collection.~~

Effective February 1, 1995, multi-family residences shall not receive collection service from the city.

SECTION 2. A new Section 13-306 shall be added to the Code by adding the underlined text as follows:

Sec. 13-306. Multi-family residence refunds/credits.

(a) Notwithstanding Section 13-301, an owner of a multi-family residence shall be entitled to a refund of 5/6 of the November 1994 installment of the solid waste disposal user fee, upon verification of payment.

(b) Notwithstanding Section 13-301, the director of the department of public works shall issue to an owner of a multi-family residence either a full refund of the May 1995 installment of the solid waste disposal user fee or a credit in the amount of the May 1995 installment of the solid waste disposal user fee, which may be used by the hauler of the owner's choice to satisfy tipping fee charges at Resource Recovery. The issuance of a refund or a credit shall be subject to verification of payment.

SECTION 3. The expressed or implied repeal or amendment by this ordinance or any other ordinance or any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 4. Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if such remaining provisions can be given the effect intended by the council in adopting this ordinance. To this end, the provisions of this ordinance are severable.

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 626, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 626, 1994 on November 21, 1994. The proposal approves reductions in proposed expenditures since the adoption of the 1994 City-County Annual Budget in the amount of \$2,092,292. By a 6-0 vote, the Committee reported the proposal to

November 28, 1994

the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Short, for adoption. Proposal No. 626, 1994 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

0 NAYS:

2 NOT VOTING: *Giffin, Williams*

Proposal No. 626, 1994 was retitled FISCAL ORDINANCE NO. 112, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 112, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) by reduction appropriations by Two Million Ninety-two Thousand Two Hundred Ninety-two Dollars (\$2,092,292) in the following: Historic Preservation Fund, IMAGIS Special Revenue Fund, Park General Fund, and Park General/Golf Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. To reflect reductions in proposed expenditures since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1994 be, and is hereby, amended by the reductions hereinafter stated.

SECTION 2. The following appropriations are hereby reduced:

DEPARTMENT OF METROPOLITAN DEVELOPMENT  
HISTORIC PRESERVATION COMMISSION

	<u>HISTORIC PRESERVATION FUND</u>
1. Personal Services	400
2. Supplies	1,828
3. Other Services and Charges	8,918
4. Capital Outlay	105
TOTAL REDUCTION HISTORIC PRESERVATION FUND	11,251

DEPARTMENT OF PUBLIC WORKS  
ADMINISTRATION

	<u>IMAGIS SPECIAL REVENUE FUND</u>
3. Other Services and Charges	134,436
TOTAL REDUCTION IMAGIS SPECIAL REVENUE FUND	134,436

DEPARTMENT OF PARKS AND RECREATION

	<u>PARK GENERAL FUND</u>
1. Personal Services	377,082
2. Supplies	328,776
4. Capital Outlay	171,747
TOTAL REDUCTION PARK GENERAL FUND	877,605

DEPARTMENT OF PARKS AND RECREATION  
GOLF DIVISION

	<u>PARK GENERAL/GOLF FUND</u>
1. Personal Services	35,000
2. Supplies	1,500
4. Capital Outlay	1,032,500
TOTAL REDUCTION PARK GENERAL/GOLF FUND	1,069,000

GRAND TOTAL 2,092,292

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 629, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 629, 1994 on November 21, 1994. The proposal is an



appropriation from the County General Fund in the amount of \$16,826 for the County Coroner to fund unexpected "buy out" expenses of terminated employees necessitated by the agency's contracting out of forensic services financed by transferring other appropriations for that agency. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Shambaugh, for adoption.

Councillor Golc questioned if there are any other expenses that will have to be paid as a result of the people who were terminated. Councillor Rhodes said that Robert Ward, Chief Deputy Coroner, stated that this will complete the contractual obligations for these two particular employees.

Proposal No. 629, 1994 was adopted on the following roll call vote; viz:

23 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, West  
5 NAYS: Beadling, McClamroch, Schneider, Smith, Williams  
1 NOT VOTING: Giffin

Proposal No. 629, 1994 was retitled FISCAL ORDINANCE NO. 113, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 113, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Sixteen Thousand Eight Hundred Twenty-six Dollars (\$16,826) in the County General Fund for purposes of the County Coroner and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (g) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of the County Coroner to fund unexpected "buy out" expenses of terminated employees necessitated by the agency's contracting out of forensic services.

SECTION 2. The sum of Sixteen Thousand Eight Hundred Twenty-six Dollars (\$16,826) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY CORONER</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	16,826
TOTAL INCREASE	16,826

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>COUNTY CORONER</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	8,342
3. Other Services and Charges	3,908
4. Capital Outlay	4,576
TOTAL DECREASE	16,826

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 630, 1994. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 630, 1994 on November 21, 1994. The proposal is an appropriation from the Property Reassessment Fund in the amount of \$8,107 for the Washington Township Assessor to place funds in the correct character for anticipated expenditures financed by transferring other appropriations for that agency. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Black, for adoption. Proposal No. 630, 1994 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

1 NOT VOTING: *Giffin*

Proposal No. 630, 1994 was retitled FISCAL ORDINANCE NO. 114, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 114, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Eight Thousand One Hundred Seven Dollars (\$8,107) in the Property Reassessment Fund for purposes of the Washington Township Assessor and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (u) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of the Washington Township Assessor to place funds in the proper character for additional and originally anticipated expenditures.

SECTION 2. The sum of Eight Thousand One Hundred Seven Dollars (\$8,107) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>WASHINGTON TOWNSHIP ASSESSOR</u>	<u>PROPERTY REASSESSMENT FUND</u>
2. Supplies	2,502
4. Capital Outlay	<u>5,605</u>
TOTAL INCREASE	8,107

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>WASHINGTON TOWNSHIP ASSESSOR</u>	<u>PROPERTY REASSESSMENT FUND</u>
3. Other Services and Charges	<u>8,107</u>
TOTAL REDUCTION	8,107

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 631, 1994. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 631, 1994 on November 22, 1994. The proposal is an appropriation from the HUD Section 8 Special Revenue Fund in the amount of \$205,000 for the Department of Metropolitan Development, Public Housing Division, to hire additional staff and to purchase the necessary office equipment financed by transferring other appropriations for that division. By a 5-0-1 vote, the Committee reported the proposal to the



Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Smith, for adoption. Proposal No. 631, 1994 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
0 NAYS:  
2 NOT VOTING: *Borst, Giffin*

Proposal No. 631, 1994 was retitled FISCAL ORDINANCE NO. 115, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 115, 1994

A FISCAL ORDINANCE amending the City-County Annual, Budget for 1994 (City-county Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Two Hundred Five Thousand Dollars (\$205,000) in the HUD Section 8 Special Revenue Fund for the purposes of the Department of Metropolitan Development, Public Housing Division, and reducing certain other appropriations in the HUD Section 8 Special Revenue Fund for the Department of Metropolitan Development, Division of Public Housing.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (j) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of the Department of Metropolitan Development, Public Housing Division, to hire additional staff for the HUD Section 8 Program and provide necessary equipment for the staff.

SECTION 2. The sum of Two Hundred Five Thousand Dollars (\$205,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u> <u>PUBLIC HOUSING DIVISION</u>	<u>HUD SECTION 8 SPECIAL REVENUE FUND</u>
1. Personal Service	105,000
4. Capital Outlay	<u>100,000</u>
TOTAL INCREASE	205,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u> <u>PUBLIC HOUSING DIVISION</u>	<u>HUD SECTION 8 SPECIAL REVENUE FUND</u>
3. Other Services and Charges	<u>205,000</u>
TOTAL REDUCTION	205,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**POLICE SPECIAL SERVICE DISTRICT  
FIRE SPECIAL SERVICE DISTRICT  
SPECIAL ORDERS - PUBLIC HEARING**

A quorum being present, the President called the Police Special Service District Council and the Fire Special Service District Council to order at 9:34 p.m.

PROPOSAL NOS. 627 and 628, 1994. PROPOSAL NO. 627, 1994. The proposal, sponsored by Councillor Dowden, approves reductions in proposed expenditures since the adoption of the 1994 Police Special Service District Annual Budget in the amount of \$990,955. PROPOSAL NO. 628, 1994. The proposal, sponsored by Councillor Dowden, approves reductions in proposed expenditures since the adoption of the 1994 Fire Special Service District Annual Budget in the amount of \$330,914. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal Nos. 627 and 628, 1994 on November 21, 1994. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 9:36 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor Dowden, for adoption. Proposal No. 627, 1994 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

2 NOT VOTING: *Giffin, Moriarty Adams*

Councillor Moriarty Adams stated that she abstained due to a conflict of interest.

Proposal No. 627, 1994 was retitled POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 3, 1994 and reads as follows:

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 3, 1994

A POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE amending the Police Special Service District Annual Budget for 1994 (Police Special Service District Fiscal Ordinance No. 2, 1993) by reducing appropriations by Nine Hundred Ninety Thousand Nine Hundred Fifty-five Dollars (\$990,955) in the Police General Fund and Police Pension Fund.

BE IT ORDAINED BY THE POLICE SPECIAL SERVICE DISTRICT COUNCIL  
OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. To reflect reductions in proposed expenditures since the adoption of the annual budget, Sections 1 and 2 of the Police Special Service District Annual Budget for 1994 be, and is hereby, amended by the reductions hereinafter stated.

SECTION 2. The following appropriations are hereby reduced:

DEPARTMENT OF PUBLIC SAFETY

POLICE DIVISION

1. Personal Services

2. Supplies

3. Other Services and Charges

TOTAL REDUCTION POLICE GENERAL FUND

POLICE GENERAL FUND

400,000

17,000

363,000

773,000

DEPARTMENT OF PUBLIC SAFETY

POLICE DIVISION

1. Personal Services

TOTAL REDUCTION POLICE PENSION FUND

POLICE PENSION FUND

217,955

217,955

GRAND TOTAL

990,955

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.



Proposal No. 628, 1994 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

3 NOT VOTING: *Brents, Giffin, Gray*

Councillor Gray stated that he abstained due to a conflict of interest.

Proposal No. 628, 1994 was retitled FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 3, 1994 and reads as follows:

FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 3, 1994

A FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE amending the Fire Special Service District Annual Budget for 1994 (Fire Special Service District Fiscal Ordinance No. 2, 1993) by reducing appropriations by Three Hundred Thirty Thousand Nine Hundred Fourteen Dollars (\$330,914) in the Fire Pension Fund.

BE IT ORDAINED BY THE FIRE SPECIAL SERVICE DISTRICT COUNCIL  
OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. To reflect reductions in proposed expenditures since the adoption of the annual budget, Section 2 of the Fire Special Service District Annual Budget for 1994, be, and is hereby, amended by the reductions hereinafter stated.

SECTION 2. The following appropriations are hereby reduced:

DEPARTMENT OF PUBLIC SAFETY

FIRE DIVISION

1. Personal Services

TOTAL REDUCTION FIRE PENSION FUND

FIRE PENSION FUND

330,914

330,914

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**NEW BUSINESS**

Councillor McClamroch moved to convene the Council meeting on December 12, 1994 at 5:30 p.m. Councillor Hinkle seconded the motion.

Councillor Williams said she would be glad to support this motion if Councillor McClamroch will agree that on Monday, September 25, 1995, not to start the Council meeting until after the sun sets. The President said that he believes Councillor McClamroch is ready to reciprocate with the consent of Council. The President asked that this be noted on the calendar. Councillor McClamroch's motion passed by unanimous voice vote.

Councillor Beadling asked what time would caucus begin on December 12, 1994. Councillor McClamroch said that caucus would begin at 5:00 p.m.

**OLD BUSINESS**

Councillor O'Dell said that at the September 28, 1994 Council meeting a motion was passed whereby he would give a report on the current condition of CCI and the proposal from the Mayor's office at this Council meeting. The Community Affairs Committee will hold

November 28, 1994

another meeting on December 7, 1994 to review the proposal from the Mayor's office concerning CCI funding. He requested that the CCI report be presented on December 12, 1994. The President gave his consent.

Councillor Williams said that after watching a board meeting on Channel 16 she realized the sound system in Room 260 is not very good. She asked if there is some way to get a report from Channel 16 to find out what they can do to improve it. The President said that he has brought the matter of inferior television cameras to the administration and in the 1995 budget there is funding to replace the three obsolete cameras. At the same time he will request that the sound system be checked.

#### ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council has been completed, the Chair will now entertain motions for adjournment.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Michael Blair, Vivian Terry Moore and John Charles Thomas. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:47 p.m.

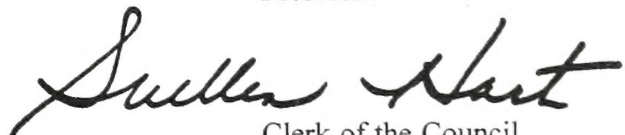
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 28th day of November, 1994.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Clerk of the Council

(SEAL)





**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, DECEMBER 12, 1994**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 5:37 p.m. on Monday, December 12, 1994, with Councillor SerVaas presiding.

Councillor SerVaas led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*29 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

A quorum of twenty-nine members being present, the President called the meeting to order.

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Curry introduced Joyce Sommers, Executive Director, Indianapolis Arts Center, Inc. Councillor Coughenour introduced Jerry Cosby, Editor, *The Spotlight*. Councillor Williams introduced April Sparks, an eighth grader at IPS Key Renaissance Middle School. Councillor Beadling introduced Dr. Percy Clark, Superintendent, Lawrence Township Schools; Dr. Duane Hodgin, Assistant Superintendent; Dr. Phil Lambert, Assistant Superintendent; Dr. Jerry Thacker, Assistant Superintendent and Director of Elementary Education; and Susan Brash, Principal, Amy Beverland Elementary School, and her husband, Rick Brash.



## OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, December 12, 1994, at 5:30 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Beurt SerVaas  
President, City-County Council

November 29, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, December 1, 1994, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 605, 606, 607, 610, 611, 635, 674, 675, and 676, 1994, to be held on Monday, December 12, 1994, at 5:30 p.m., in the City-County Building.

Respectfully,  
s/Suellen Hart  
Clerk of the City-County Council

December 1, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances and resolutions:

GENERAL ORDINANCE NO. 161, 1994 - amending the Revised Code to terminate the Public Housing Division as a division of the Department of Metropolitan Development and establish a new Public Housing Agency

GENERAL ORDINANCE NO. 162, 1994 - amending the Rules of Council with respect to public hearings on requests for additional appropriations

GENERAL ORDINANCE NO. 163, 1994 - amending the Code by changing the provision of solid waste collection and disposal services for multi-family residences

FISCAL ORDINANCE NO. 102, 1994 - an appropriation from the State and Federal Grants Fund in the amount of \$44,830 for the continued operation of the Victim Assistance Program for the County Sheriff financed by a state grant

FISCAL ORDINANCE NO. 103, 1994 - an appropriation from the State and Federal Grants Fund in the amount of \$22,119 for the continued operation of the Child Abuse Intervention Program for the County Sheriff financed by a state grant

*December 12, 1994*

FISCAL ORDINANCE NO. 104, 1994 - an appropriation from the State and Federal Grants Fund in the amount of \$365,000 to pay for the continuation of a comprehensive traffic safety program in Marion County for the Prosecuting Attorney financed by a federal grant

FISCAL ORDINANCE NO. 105, 1994 - an appropriation from the State and Federal Grants Fund in the amount of \$122,759 for the continuation of the Victim Witness Program through the Prosecuting Attorney financed by a state grant

FISCAL ORDINANCE NO. 106, 1994 - an appropriation from the State and Federal Grants Fund in the amount of \$28,454 to pay for the continuation of Salvation Army's Domestic Violence Program through the Prosecuting Attorney financed by a state grant

FISCAL ORDINANCE NO. 107, 1994 - an appropriation from the State and Federal Grants Fund in the amount of \$7,385 for the continuation of Adult Protective Services through the Prosecuting Attorney financed by a state grant

FISCAL ORDINANCE NO. 108, 1994 - an appropriation from the State and Federal Grants Fund in the amount of \$109,094 to study sentencing alternatives for drunk drivers for the Prosecuting Attorney financed by a state grant

FISCAL ORDINANCE NO. 109, 1994 - an appropriation from the State and Federal Grants Fund in the amount of \$521,656 for the Community Corrections Agency financed by a state grant for home detention services for the Juvenile Division of the Superior Court

FISCAL ORDINANCE NO. 110, 1994 - authorizing tax anticipation borrowing for the City during the period from January 1, 1995 through December 31, 1995

FISCAL ORDINANCE NO. 111, 1994 - authorizing tax anticipation borrowing for the County General Fund and the County Family and Children Fund during the period from January 1, 1995 through December 31, 1995

FISCAL ORDINANCE NO. 112, 1994 - approves reductions in proposed expenditures since the adoption of the 1994 City-County Annual Budget in the amount of \$2,092,292

FISCAL ORDINANCE NO. 114, 1994 - an appropriation from the Property Reassessment Fund in the amount of \$8,107 for the Washington Township Assessor to place funds in the correct character for anticipated expenditures financed by transferring other appropriations for that agency

FISCAL ORDINANCE NO. 115, 1994 - an appropriation from the HUD Section 8 Special Revenue Fund in the amount of \$205,000 for the Department of Metropolitan Development, Public Housing Division, to hire additional staff and to purchase the necessary office equipment financed by transferring other appropriations for that division

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 3, 1994 - approves reductions in proposed expenditures since the adoption of the 1994 Police Special Service District Annual Budget in the amount of \$990,955

FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 3, 1994 - approves reductions in proposed expenditures since the adoption of the 1994 Fire Special Service District Annual Budget in the amount of \$330,914

SPECIAL RESOLUTION NO. 79, 1994 - recognizing the public service of David S. Gilman

SPECIAL RESOLUTION NO. 80, 1994 - commending and honoring Chief of Police James D. Toler for his commitment to duty and his service to the citizens of Indianapolis and the nation

SPECIAL RESOLUTION NO. 81, 1994 - recognizing Faye I. Mowery

SPECIAL RESOLUTION NO. 82, 1994 - approving an amendment to the public lighting contract between the Indianapolis Power & Light Company and the City

Respectfully,  
s/Stephen Goldsmith, Mayor



December 9, 1994

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinance:

GENERAL ORDINANCE NO. 160, 1994 - recodifying and amending the Code, Article II, Administration and Enforcement, Chapter 8, Buildings and Construction

Respectfully,  
s/Stephen Goldsmith, Mayor

### **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

### **APPROVAL OF JOURNALS**

The President called for additions or corrections to the Journal of November 28, 1994. There being no additions or corrections, the minutes were approved as distributed.

### **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 699, 1994. This proposal, sponsored by Councillor Beadling, recognizes Indiana's Elementary Principal of the Year, Susan K. Brash. Councillor Beadling read the resolution and presented a copy of the document to Susan K. Brash, who expressed appreciation for the recognition. Also present were Dr. Percy Clark, Superintendent of Lawrence Township Schools; Dr. Duane Hodgin, Assistant Superintendent; Dr. Phil Lambert, Assistant Superintendent; Dr. Jerry Thacker, Assistant Superintendent and Director of Elementary Education; and Rick Brash. Councillor Beadling moved, seconded by Councillor Shambaugh, for adoption. Proposal No. 699, 1994 was adopted by unanimous voice vote.

Proposal No. 699, 1994 was retitled SPECIAL RESOLUTION NO. 83, 1994 and reads as follows:

#### **CITY-COUNTY SPECIAL RESOLUTION NO. 83, 1994**

A SPECIAL RESOLUTION recognizing Indiana's Elementary Principal of the Year, Susan K. Brash.

WHEREAS, Susan K. Brash is the exemplary principal of Amy Beverland Elementary School in the Metropolitan School District of Lawrence Township; and

WHEREAS, she is a graduate of Indiana University and taught at Winamac, Indiana before coming to Lawrence Township in 1989 to shepherd the school of 900 students; and

WHEREAS, Mrs. Brash is known for her energy and enthusiasm, and has brought her contagious upbeat spirit to Amy Beverland School where students and staff are inspired to be their very best; and

*December 12, 1994*

WHEREAS, the school has assembled an active school-business partnership with NBD Bank, Marsh Supermarkets, Bank One, the Shorewood Corporation and National City Bank; and

WHEREAS, Amy Beverland School was recognized by the federal government with the Blue Ribbon National Excellence in Education Award, and is Indiana's nominee for the Redbook Best Schools Award; and

WHEREAS, an example of Mrs. Brash's dedication to young people was when she gave the computer off her desk for a fourth grade classroom; and

WHEREAS, for her inspiration, dedication and tireless work for the children in her charge, Susan K. Brash was voted as Indiana's Elementary School Principal of the Year; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and commends Lawrence Township's Susan K. Brash -- Indiana's Elementary School Principal of the Year.

SECTION 2. In this era of bashing public education, Mrs. Brash, and many others like her, are daily going about their business in a very competent manner of preparing our young people for the future.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 700, 1994. This proposal, sponsored by Councillor Borst, commends Purdue University. Councillor Borst read the resolution and presented a copy of the document to Linda Carroll, Purdue Alumni Association, who expressed appreciation for the recognition. Councillor Borst moved, seconded by Councillor Black, for adoption. Proposal No. 700, 1994 was adopted by unanimous voice vote.

Proposal No. 700, 1994 was retitled SPECIAL RESOLUTION NO. 84, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 84, 1994

A SPECIAL RESOLUTION commending Purdue University.

WHEREAS, Purdue University, one of the nation's finest learning institutions, has produced outstanding Indiana citizens; and

WHEREAS, both the men's and women's Purdue Boilermaker basketball teams are the defending Big Ten Champions which is a first in the history of the Big Ten Conference; and

WHEREAS, both Purdue's academic and athletic successes will be showcased to Indianapolis-area fans at the Boilermaker BlockBuster, a doubleheader event at Market Square Arena on Saturday, December 17, 1994; and

WHEREAS, the week prior to the doubleheader, special events will be planned to instill Purdue Pride among the 31,000 Purdue alumni and the many Boilermaker fans in the Indianapolis area; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council welcomes Purdue University to Indianapolis during the week of December 12-17, 1994.

SECTION 2. The Council commends Purdue University for its international, national and local contributions in teaching, research, science and athletics.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.



SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 701, 1994. This proposal, sponsored by Councillor Franklin, recognizes powerlifter Krista Ford. Councillor Franklin read the resolution and presented a copy of the document to Krista Ford, who expressed appreciation for the recognition. Also present was Jesse Moore, Executive Assistant, Department of Parks & Recreation. Councillor Franklin moved, seconded by Councillor West, for adoption. Proposal No. 701, 1994 was adopted by unanimous voice vote.

Proposal No. 701, 1994 was retitled SPECIAL RESOLUTION NO. 85, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 85, 1994

A SPECIAL RESOLUTION recognizing powerlifter Krista Ford.

WHEREAS, Indianapolis powerlifter Krista Ford has achieved world class status and recognition in international competition and by *Powerlifting USA* Magazine; and

WHEREAS, after a powerlifting state championship in 1989, she set a new record at the Junior Nationals in the bench press for 235 pounds the next year, followed by three bench press world records in the 165 pound women's class the following year; and

WHEREAS, in 1992 she set still another world record in the Can-Am International Bench Press Champions in Quebec, Canada, and was invited to be a member of the U.S. Olympic Powerlifting Exhibition Team in Barcelona, Spain; and

WHEREAS, this year Krista earned first place in the WPA World Championships, and was a Gold Medal winner at the Goodwill Games in St. Petersburg, Russia; and

WHEREAS, she has bench pressed 270 pounds, deadlifted 451 pounds and squatted 418 pounds; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognized the skill, power and -- as an international goodwill director has written -- positive mental attitude of Indianapolis world class powerlifter Krista Ford.

SECTION 2. Krista Ford stands tall as an inspiration and as an example that talent, countless hours of hard work and focus can lead to the exclusive Thrill of Victory platform where only the very best may tread.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 695, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending Sec. 285-307 of the Revised Code concerning the distribution of enhanced access fees"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 696, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Comprehensive Zoning

Maps of Marion County by updating base maps #30, #33, #35 and #45"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 697, 1994. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing the Marion County Recorder to collect a reasonable fee for providing duplicate copies of computer tapes, computer disks, optical disks, microfilm, or similar media to the general public"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 698, 1994. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing multi-way stop at Dequincy Street and Walnut Street (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 702, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Sign Regulations of Marion County to comprehensively revise and update the regulation of signs within the County"; and the President referred it to the Metropolitan Development Committee.

### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 687, 1994. Councillor Borst reported that the Economic Development Committee heard Proposal No. 687, 1994 on December 9, 1994. The proposal amends S.R. No. 78, 1994 by increasing the amount of the inducement resolution to an amount not to exceed \$8,200,000 for Post Pointe Partners, Ltd. for the acquisition, construction, renovation, installation and equipping of the existing 362 unit multifamily residential rental project known as Post Pointe Apartments located at 9027 East 39th Place, on approximately 21.63 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, renovation, construction and installation of various site improvements at the facility. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Mullin, for adoption. Proposal No. 687, 1994 was adopted on the following roll call vote; viz:

*25 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

*0 NAYS:*

*4 NOT VOTING: Beadling, Giffin, Jimison, Moriarty Adams*

Proposal No. 687, 1994 was retitled SPECIAL RESOLUTION NO. 86, 1994 and reads as follows:

#### **CITY-COUNTY SPECIAL RESOLUTION NO. 86, 1994**

A SPECIAL RESOLUTION amending Special Resolution No. 78, 1994 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or the proceeds of the revenue bond issue may be loaned to the company and said facilities directly owned by the company;



WHEREAS, Post Pointe Partners, Ltd., an Indiana limited partnership (the "Applicant") has previously advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities consist of the acquisition, construction, renovation, installation and equipping of the existing 362 unit multifamily residential rental project known as Post Pointe Apartments located at 9027 East 39th Place, Indianapolis, Indiana on approximately 21.63 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, renovation, construction and installation of various site improvements at the facility (the "Project");

WHEREAS, the Issuer has previously adopted its City-County Special Resolution No. 78, 1994 (the "Inducement Resolution") on November 14, 1994 for an amount not to exceed Six Million Eight Hundred Thousand Dollars (\$6,800,000); and

WHEREAS, the Applicant has advised the Issuer that the cost of the Project has increased and is now estimated to be Eight Million Two Hundred Thousand Dollars (\$8,200,000) and the Applicant has requested that the Issuer amend the Inducement Resolution so that it will be in an amount not to exceed Eight Million Two Hundred Thousand Dollars (\$8,200,000).

WHEREAS, the diversification of industry and the retention of opportunities for gainful employment (nineteen (19) at the end of one year and three years plus the creation of a construction job payroll over the renovation period) and the creation of business opportunities to be achieved by the acquisition, construction, renovation, installation and equipping of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, having received the advice of the Indianapolis Economic Development Commission, it would appear that the financing of the Project would be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, it appears at this time that the acquisition, construction, renovation, installation and equipping of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer;

WHEREAS, the Applicant intends to utilize Low Income Housing Tax Credits, if available, pursuant to Section 42 of the Internal Revenue Code of 1986, as amended or any successor section thereof in connection with the Project and the Indiana Housing Finance Authority; NOW, THEREFORE:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the retention and creation of opportunities for gainful employment within the jurisdiction of the Issuer, is desirable, serves a public purpose, and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the retention and creation of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed Eight Million Two Hundred Thousand Dollars (\$8,200,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, construction, renovation, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, construction, renovation, installation and equipping of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to continue to proceed with the acquisition, construction, renovation, installation and equipping of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires May 31, 1995, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this



inducement resolution; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) if applicable, the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the date which is sixty (60) days prior to the adoption of City-County Special Resolution No. 78, 1994, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the same purpose. Also certain indirect expenses incurred prior to such date will be permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (TD 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Section 1.150-2.

SECTION 5. The City-County Council recognizes that the Applicant intends to utilize Low Income Housing Tax Credits, if available, pursuant to Section 42 of the Internal Revenue Code of 1986, as amended, or any successor section thereof in connection with the financing of the Project with tax-exempt bonds.

SECTION 6. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 688-691, 1994. Councillor Borst discussed these proposals together. PROPOSAL NO. 688, 1994. The proposal amends S.R. No. 54, 1994 by extending the expiration date through June 30, 1995 for North American Laboratory Company, or a to-be-formed corporation, partnership or limited liability company, the shareholders, partners or members of which will be existing shareholders of North American Laboratory Company (Ronald H. Stern, Michael R. Oestreicher, Diana Oestreicher and Philip E. Himmelstein) (District 9). PROPOSAL NO. 689, 1994. The proposal amends S.R. No. 124, 1991, as amended, by extending the expiration date for MTJ Enterprises, Inc. and ATF Automotive Group, Inc. through June 30, 1995 (District 16). PROPOSAL NO. 690, 1994. The proposal amends S.R. No. 84, 1990, as amended, by extending the expiration date for Meadows Revival, Inc. through June 30, 1995 (District 11). PROPOSAL NO. 691, 1994. The proposal amends S.R. No. 72, 1990, as amended, by extending the expiration date for Homeward Partners, Inc. through June 30, 1995 (Districts 16, 20). By 5-0 votes, the Committee reported Proposal Nos. 688, 689, and 691, 1994 to the Council with the recommendation that they do pass. By a 4-0-1 vote, the Committee reported Proposal No. 690, 1994 to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Jones, for adoption. Proposal Nos. 688-691, 1994 were adopted on the following roll call vote; viz:

23 YEAS: Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, Williams

0 NAYS:

6 NOT VOTING: Beadling, Franklin, Giffin, Jimison, Moriarty Adams, West



Proposal No. 688, 1994 was retitled SPECIAL RESOLUTION NO. 87, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 87, 1994

A SPECIAL RESOLUTION amending City-County Special Resolution No. 72, 1990, as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 54, 1994, as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by North American Laboratory Company (Ronald H. Stern, Michael R. Oestreicher, Diana Oestreicher and Phillip E. Himmelstein) (the "Company") which Inducement Resolution set an expiration date of December 31, 1994 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the city, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of December 31, 1994, contained therein and replacing said date with the date of June 30, 1995.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 689, 1994 was retitled SPECIAL RESOLUTION NO. 88, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 88, 1994

A SPECIAL RESOLUTION amending City-County Special Resolution No. 72, 1990, as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 124, 1991, as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by MTJ Enterprises, Inc. and ATF Automotive Group, Inc. (the "Company") which Inducement Resolution set an expiration date of December 31, 1994 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution)

December 12, 1994

had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the city, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of December 31, 1994, contained therein and replacing said date with the date of June 30, 1995.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 690, 1994 was retitled SPECIAL RESOLUTION NO. 89, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 89, 1994

A SPECIAL RESOLUTION amending City-County Special Resolution No. 84, 1990, as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 84, 1990, as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by Meadows Revival, Inc. (the "Company") which Inducement Resolution set an expiration date of December 31, 1994 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the city, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; and

WHEREAS, the Company intends to utilize Low Income Housing Tax Credits, if available, pursuant to Section 42 of the Internal Revenue Code of 1986, as amended, or any successor section thereof in connection with the Project and the Indiana Housing Finance Authority; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of December 31, 1994, contained therein and replacing said date with the date of June 30, 1995.

SECTION 2. The City-County Council recognizes that the Company intends to utilize Low Income Housing Tax Credits, if available, pursuant to Section 42 of the Internal Revenue Code of 1986, as amended, or any successor section thereof in connection with the financing of the Project with tax-exempt bonds.

SECTION 3. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.



SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 691, 1994 was retitled SPECIAL RESOLUTION NO. 90, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 90, 1994

A SPECIAL RESOLUTION amending City-County Special Resolution No. 72, 1990, as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 72, 1990, as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by Homeward Partners, Inc. (the "Company") which Inducement Resolution set an expiration date of December 31, 1994 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the city, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of December 31, 1994, contained therein and replacing said date with the date of June 30, 1995.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 692, 1994. Councillor Borst reported that the Economic Development Committee heard Proposal No. 692, 1994 on December 9, 1994. The Proposal amends S.R. No. 49, 1994 by extending the expiration date for the Jewish Federation of Greater Indianapolis, Inc. through June 30, 1995 and increasing the amount of the inducement resolution to an amount not to exceed \$13,000,000. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Franklin, for adoption. Proposal No. 692, 1994 was adopted on the following roll call vote; viz:

19 YEAS: Borst, Coughenour, Curry, Dowden, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith,  
0 NAYS:

10 NOT VOTING: Beadling, Black, Boyd, Brents, Franklin, Giffin, Jimison, Mullin, West, Williams

Proposal No. 692, 1994 was retitled SPECIAL RESOLUTION NO. 91, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 91, 1994

A SPECIAL RESOLUTION amending and extending Special Resolution No. 49, 1994 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or the proceeds of the revenue bond issue may be loaned to the company and said facilities directly owned by the company;

WHEREAS, the Jewish Federation of Greater Indianapolis, Inc. (the "Applicant") has previously advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities consist of the acquisition, construction, renovation, installation and equipping of the Applicant's existing facilities located at 6701 Hoover Road, Indianapolis, Indiana [which are leased to the Jewish Community Center Association of Indianapolis, Incorporated (the "JCCA")] to create additional classrooms, storage, office facilities and new programming opportunities for early childhood education, infant/toddler care and youth programming, as well as certain renovation for compliance with the Americans with Disabilities Act and with environmental laws plus additional office facilities for the Applicant; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, renovation, construction and installation of various site improvements at the facility (the "Project");

WHEREAS, the Issuer has previously adopted its City-County Special Resolution No. 49, 1994 (the "Inducement Resolution") on June 13, 1994 for an amount not to exceed Nine Million Dollars (\$9,000,000), which Inducement Resolution set an expiration date of December 31, 1994 unless the economic development revenue bonds for the Project had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the city, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, the Applicant has advised the Issuer that the cost of the Project has increased and is now estimated to be Thirteen Million Dollars (\$13,000,000) and the Applicant has requested that the Issuer amend the Inducement Resolution so that it will be in an amount not to exceed Thirteen Million Dollars (\$13,000,000).

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Applicant has requested that the Issuer extend the expiration date and the Applicant has shown good cause to extend the aforesaid expiration date;

WHEREAS, the diversification of industry and the retention of opportunities for gainful employment (sixteen (16) full-time plus twenty-three (23) part-time jobs at the end of one year and three years plus the creation of a construction job payroll originally estimated to be for approximately one hundred sixty (160) temporary construction jobs over the renovation period but which is now estimated to be one hundred seventy (170) temporary construction jobs over the renovation period) and the creation of business opportunities to be achieved by the acquisition, construction, renovation, installation and equipping of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, having received the advice of the Indianapolis Economic Development Commission, it would appear that the financing of the Project would be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, it appears at this time that the acquisition, construction, renovation, installation and equipping of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; NOW, THEREFORE:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the retention and creation of opportunities for gainful employment within the jurisdiction of the Issuer, is desirable, serves a public purpose, and is of benefit to the health or general welfare of the Issuer; and that it is in the public



interest that this Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the retention and creation of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed Thirteen Million Dollars (\$13,000,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, construction, renovation, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, construction, renovation, installation and equipping of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to continue to proceed with the acquisition, construction, renovation, installation and equipping of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires June 30, 1995, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) if applicable, the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the date which is sixty (60) days prior to the adoption of City-County Special Resolution No. 49, 1994, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the same purpose. Also certain indirect expenses incurred prior to such date will be permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (TD 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Section 1.150-2.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 693, 1994. Councillor Borst reported that the Economic Development Committee heard Proposal No. 693, 1994 on December 9, 1994. The proposal is an inducement resolution for Indianapolis Art Center, Inc. in an amount not to exceed \$3,000,000 for the acquisition, construction, installation and equipping of an approximately 40,000 square foot building to be located at 820 East 67th Street on approximately 7 acres of land which will be used by the Applicant as studio classes, library, auditorium and administration to carry out its not-for-profit purposes as an art teaching and resource center providing year-round programs in studio art classes; the acquisition of machinery, equipment and furnishing for use in the facility; and the acquisition, construction and installation of various site improvements at the facility. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded



by Councillor Williams, for adoption. Proposal No. 693, 1994 was adopted on the following roll call vote; viz:

*26 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, Williams*

*0 NAYS:*

*3 NOT VOTING: Giffin, Jimison, West*

Proposal No. 693, 1994 was retitled SPECIAL RESOLUTION NO. 92, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 92, 1994

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or the proceeds of the revenue bond issue may be loaned to the company and said facilities directly owned by the company;

WHEREAS, Indianapolis Art Center, Inc., an Indiana not-for-profit corporation (the "Applicant"), has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities consist of the acquisition, construction, installation and equipping of an approximately 40,000 square foot building to be located at 820 East 67th Street, Indianapolis, Indiana on approximately 7 acres of land which will be used by the Applicant as studio classes, library, auditorium and administration to carry out its not-for-profit purposes as an art teaching and resource center providing year-round programs in studio art classes; providing lectures and art series; mounting art exhibitions; providing outreach programs to the lesser served population; presenting inter-arts programming on its Riverfront stage and presenting inter-arts programming in the proposed new auditorium; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (the "Project");

WHEREAS, the diversification of industry and the creation of opportunities for gainful employment (three (3) jobs at the end of one year and six (6) at the end of three years plus the creation of a construction job payroll) and the creation of business opportunities to be achieved by the acquisition, construction, installation and equipping of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, the acquisition, construction, installation and equipping of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer;  
NOW, THEREFORE:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the creation of opportunities for gainful employment within the jurisdiction of the Issuer, is desirable, serves a public purpose, and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the creation of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed Three Million Dollars (\$3,000,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, construction, installation and equipping of the Project will serve the public purposes referred to above in accordance with the Act.



SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires June 30, 1995, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) if applicable, the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the date which is sixty (60) days prior to the adoption of this resolution, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the same purpose. Also certain indirect expenses incurred prior to such date will be permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (TD 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Section 1.150-2.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 694, 1994. Councillor Borst reported that the Economic Development Committee heard Proposal No. 694, 1994 on December 9, 1994. The proposal is an inducement resolution for Pleasant Run Children's Homes, Inc. in an amount not to exceed \$7,600,000 for the acquisition, renovation, installation and equipping of an approximately 130,000 square foot building located at approximately 2300 Lafayette Road on approximately 14 acres of land which will be used by Pleasant Run to provide residential treatment services for children ages 6-18 years and to provide office space for Home-Based counseling, Therapeutic Fast Care, Residential Group Homes and Wrap-Around services; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility. Councillor Golc asked if there has been a neighborhood meeting in reference to this issue. Mary Roth, Executive Director, Pleasant Run Children's Homes, Inc., stated that zoning was recently filed and neighborhood meetings have not yet occurred. Councillor Borst stated that the bonds for this project cannot be issued until zoning is in place. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Jones, for adoption. Proposal No. 694, 1994 was adopted on the following roll call vote; viz:



December 12, 1994

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

2 NOT VOTING: *Giffin, Jimison*

Proposal No. 694, 1994 was retitled SPECIAL RESOLUTION NO. 93, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 93, 1994

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or the proceeds of the revenue bond issue may be loaned to the company and said facilities directly owned by the company;

WHEREAS, Pleasant Run Children's Homes, Inc., an Indiana not-for-profit, 501(c)(3) corporation (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities consist of the acquisition, renovation, installation and equipping of an approximately 130,000 square foot building located at approximately 2300 Lafayette Road, Indianapolis, Indiana on approximately 14 acres of land which will be used by the Applicant to provide residential treatment services for children ages 6-18 years and to provide office space for Home-Based counseling, Therapeutic Foster Care, Residential Group Homes and Wrap-Around services; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (the "Project");

WHEREAS, the diversification of industry and the creation of opportunities for gainful employment (eighty (80) jobs at the end of one year and eighty-six (86) at the end of three years plus the creation of a construction job payroll) and the creation of business opportunities to be achieved by the acquisition, renovation, installation and equipping of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, the acquisition, renovation, installation and equipping of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; NOW, THEREFORE:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the creation of opportunities for gainful employment within the jurisdiction of the Issuer, is desirable, serves a public purpose, and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the creation of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed Seven Million Six Hundred Thousand Dollars (\$7,600,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, renovation, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, renovation, installation and equipping of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, renovation, installation and equipping of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable



to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires June 30, 1995, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) if applicable, the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the date which is sixty (60) days prior to the adoption of this resolution, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the same purpose. Also certain indirect expenses incurred prior to such date will be permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (TD 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Section 1.150-2.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 703, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on December 8, 1994." The Council did not schedule Proposal No. 703, 1994 for hearing pursuant to IC 36-7-4-608. Proposal No. 703, 1994 was retitled REZONING ORDINANCE NO. 159, 1994 and is identified as follows:

REZONING ORDINANCE NO. 159, 1994. 94-Z-95 WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 18.  
1608-1626 COUNTRY CLUB ROAD (approximate address), INDIANAPOLIS.  
ROBERT E. and PHYLLIS C. BRADLEY, by Richard L. Brown, Sr., requests the rezoning of 9.94 acres, being in the D-A(FF) District, to the D-4 classification to provide for a residential subdivision.

PROPOSAL NOS. 704-706, 1994. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on December 8, 1994." The Council did not schedule Proposal Nos. 704-706, 1994 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 704-706, 1994 were retitled REZONING ORDINANCE NOS. 160-162, 1994 and are identified as follows:

REZONING ORDINANCE NO. 160, 1994. 94-Z-185 WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT # 18.  
1948 NORTH COUNTRY CLUB ROAD (approximate address), INDIANAPOLIS.  
DAVIS DEVELOPMENT, L.P., by Thomas Michael Quinn, requests the rezoning of 13.67 acres, being in the D-12 District, to the D-5 classification to provide for a single-family residential development.



*December 12, 1994*

REZONING ORDINANCE NO. 161, 1994. 94-Z-188 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 22.

3017 DR. ANDREW J. BROWN STREET (approximate address), INDIANAPOLIS.  
INDIANAPOLIS DEPARTMENT OF PUBLIC SAFETY requests the rezoning of 0.156 acre, being in the C-1 District, to the SU-9 classification to provide for parking for an existing fire station.

REZONING ORDINANCE NO. 162, 1994. 94-Z-190 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT # 16.

801-821 PACA STREET (approximate address), INDIANAPOLIS.  
HOUSING AND DEVELOPMENT SERVICES, DEPARTMENT OF METROPOLITAN DEVELOPMENT requests the rezoning of 0.555 acre, being in the C-4(RC) District, to the D-8(RC) classification to provide for residential use.

[Clerk's Note: At this time Councillor Franklin stated that he would like the record to reflect that he abstained on Proposal No. 690, 1994. Councillor Moriarty Adams stated that she would like the record to reflect that she abstained on Proposal Nos. 687, 690, and 691, 1994.]

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 26, 1994. Councillor Dowden stated that he was absent at the December 7, 1994 Public Safety and Criminal Justice Committee meeting; Councillor Schneider will report on the proposals heard at that time. Councillor Schneider reported that the Public Safety and Criminal Justice Committee heard Proposal No. 26, 1994 on December 7, 1994. The proposal is an appropriation from the County General Fund in the amount of \$6,372 to fund an additional clerk's position for the Superior Court, Criminal Division, Room Five, financed by unappropriated revenues from that fund. By a 5-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Franklin stated that the Judge Miller needs this funding in order to pay his employees for the remainder of 1994. The Public Safety and Criminal Justice Committee determined that if this funding was not available in the General Fund that the Marion County Sheriff's request from the General Fund for \$150,000 to feed the prisoners through the end of the year could be reduced by \$6,372. Councillor Franklin stated that Judge Miller has assured him that this situation will not recur next year. Councillor Ruhmkorff asked if the Sheriff will be negatively impacted by a \$6,372 reduction to his request for \$150,000. John von Arx, Marion County Auditor, stated that the Sheriff's request was actually reduced to \$100,000. The Sheriff has agreed to his request of \$100,000 being further reduced by \$6,372.

Councillor Curry stated that he voted against this proposal in Committee due to the fact that there are requests for \$7,720 in transfers by other courts. There needs to be cooperation by all courts in order to appropriate funds that are necessary. Councillor Hinkle expressed his irritation of many county agencies requesting additional appropriations at year-end for items that are perhaps not necessary.

Councillor Borst stated that he voted against this proposal in Committee due to the fact that Judge Miller hired an additional employee that was not appropriated in his budget. Councillor Borst then stated that Judge Miller has not solved the problem and an additional appropriation request will recur in 1995. Councillor Short moved the question.

The President called for public testimony at 6:46 p.m. There being no one present to testify, Councillor Schneider moved, seconded by Councillor Franklin, for adoption. Proposal No. 26, 1994, as amended, was adopted on the following roll call vote; viz:



20 YEAS: Beadling, Black, Boyd, Brents, Dowden, Franklin, Giffin, Gilmer, Gray, Jimison, Jones, Moriarty Adams, Mullin, Ruhmkorff, Schneider, SerVaas, Short, Smith, West, Williams  
8 NAYS: Borst, Coughenour, Curry, Golc, Hinkle, McClamroch, O'Dell, Shambaugh  
1 NOT VOTING: Rhodes

Proposal No. 26, 1994, as amended, was retitled FISCAL ORDINANCE NO. 116, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 116, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Six Thousand Three Hundred Seventy-two Dollars (\$6,372) in the County General Fund for purposes of the Superior Court, Criminal Division, Room Five, and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (jj) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Criminal Division, Room Five, to fund an additional clerk's position.

SECTION 2. The sum of Six Thousand Three Hundred Seventy-two Dollars (\$6,372) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

SUPERIOR COURT, CRIMINAL  
DIVISION, ROOM FIVE

1. Personal Services  
TOTAL INCREASE

COUNTY GENERAL FUND

6,372  
6,372

SECTION 4. The said additional appropriations are funded by the following reductions:

Unappropriated and Unencumbered  
County General Fund  
TOTAL REDUCTION

COUNTY GENERAL FUND

6,372  
6,372

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 480, 1994. Councillor Dowden stated that the Public Safety & Criminal Justice Committee heard Proposal No. 480, 1994 on September 21, 1994. The proposal, sponsored by Councillor Franklin, is an appropriation to purchase additional office supplies and computer equipment for the Superior Court, Criminal Division, Room Three, from the County General Fund in the amount of \$4,632 financed by revenues from that fund. Councillor Dowden stated that Councillor Franklin decided not to move forward with this proposal after learning that funding outside of the General Fund has not been provided for this request. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it be postponed. Councillor Dowden moved, seconded by Councillor Schneider, to report Proposal No. 480, 1994 to the full Council without recommendation.

Councillor Franklin asked Steve Engelking, Administrator, Court Services Agency, if funding outside of the General Fund has been found. Mr. Engelking answered in the negative.

The President called for public testimony at 6:49 p.m. There was no one present to testify. Proposal No. 480, 1994 was defeated on the following roll call vote; viz:

*11 YEAS: Black, Boyd, Brents, Franklin, Gray, Jimison, Jones, Moriarty Adams, Mullin, Short, Williams*  
*17 NAYS: Beadling, Borst, Coughenour, Curry, Dowden, Giffin, Gilmer, Golc, Hinkle, McClamroch, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Smith, West*  
*1 NOT VOTING: Schneider*

PROPOSAL NO. 605, 1994. Councillor Schneider reported that the Public Safety and Criminal Justice Committee heard Proposal No. 605, 1994 on December 7, 1994. The proposal is an appropriation from the County General Fund in the amount of \$93,628 for the County Sheriff to pay for inmate food and housing through the end of 1994 financed by unappropriated revenues in the County General Fund. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Borst stated that he voted against this proposal in Committee because the same problem will recur in 1995. Councillor Coughenour expressed her concern of departments that have the same additional appropriation requests at the end of every year.

Councillor Rhodes asked if the payments for food service could be deferred until January. Colonel Ron Chappell, Sheriff's Department, stated that the payments are currently 4-6 weeks delinquent. Councillor Smith moved the question.

Councillor Moriarty Adams asked how the Sheriff could underestimate food expenses by approximately \$500,000. Col. Chappell stated that over the guideline requests to cover food expense were requested in the 1994 and 1995 budgets. The request was denied both times. Mr. von Arx stated that he and the Sheriff are working together in order to improve the system so that prisoners will be expedited to trial, thereby reducing the prisoner population and lowering the food expenses.

Councillor McClamroch stated that he will be voting against this proposal because the system is not working. Supporting this proposal would indicate support for the same situation to occur next year.

The President called for public testimony at 7:06 p.m. There being no one present to testify, Councillor Schneider moved, seconded by Councillor Dowden, for adoption. Proposal No. 605, 1994, as amended, was adopted on the following roll call vote; viz:

*21 YEAS: Beadling, Boyd, Brents, Curry, Dowden, Giffin, Gilmer, Hinkle, Jimison, Jones, Moriarty Adams, Mullin, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
*8 NAYS: Black, Borst, Coughenour, Franklin, Golc, Gray, McClamroch, Rhodes*

Proposal No. 605, 1994, as amended, was retitled FISCAL ORDINANCE NO. 117, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 117, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Ninety-three Thousand Six Hundred Twenty-eight Dollars (\$93,628)



in the County General Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(aa) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Sheriff to pay inmate food and housing for balance of 1994.

SECTION 2. The sum of Ninety-three Thousand Six Hundred Twenty-eight Dollars (\$93,628) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>93,628</u>
TOTAL INCREASE	93,628

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>93,628</u>
TOTAL REDUCTION	93,628

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Curry asked to explain his vote. Permission was granted. Councillor Curry stated that he voted for the proposal because the prisoners either have to be fed or set free. Secondly, the Sheriff did have an over the guideline request for this expense in his budget which was denied by the Council.

**SPECIAL ORDERS - FINAL ADOPTION**

Councillor O'Dell asked for consent hear Proposal No. 665, 1994 at this time. Consent was given.

PROPOSAL NO. 665, 1994. Councillor O'Dell reported that the Community Affairs Committee heard Proposal No. 665, 1994 on December 7, 1994. The proposal approves the lease of the Marion County Healthcare Center. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor O'Dell moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 665, 1994 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
0 NAYS:  
1 NOT VOTING: *Giffin*

Proposal No. 665, 1994 was retitled SPECIAL RESOLUTION NO. 94, 1994 and reads as follows:

*December 12, 1994*

CITY-COUNTY SPECIAL RESOLUTION NO. 94, 1994

A PROPOSAL FOR A SPECIAL RESOLUTION approving the leasing of certain property by the Board of County Commissioners

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council hereby approves, pursuant to IC 36-1-11-3, the lease of property by the Board of County Commissioners.

SECTION 2. The property consists of the buildings, grounds, parking and driveway areas and all other improvements located on the site of the Marion County Healthcare Center which are currently utilized as a long-term health care facility. The term of the lease will be 12 months or on a month to month basis. The lease will require that the property continue to be used as a health care facility.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Short asked for consent to hear Proposal No. 655, 1994 at this time. Consent was given.

PROPOSAL NO. 655, 1994. Councillor O'Dell reported that the Community Affairs Committee heard Proposal No. 655, 1994 on December 7, 1994. The proposal directs the Office of Youth and Family Services to use the \$700,000 in their budget to finance the operation of Community Centers of Indianapolis, Inc. ("CCI") for 1995. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Hinkle stated that he attended a meeting with the Mayor and CCI on Monday, December 5, 1994. An agreement was reached that (1) Proposal No. 655, 1994 would be passed, (2) the \$700,000 will be allocated to CCI, (3) a "side agreement" will be reached establishing performance standards for job placement with CCI with the understanding that the \$700,000 will not be tied to those standards, and (4) that, beginning in 1996, placement dollars will be sought based on performance standards and guidelines established by a taskforce.

Councillor Coughenour agreed with implementing performance standards for CCI. She then stated that their performance standards should not be based solely on job placement because CCI performs many services other than job placement.

Councillor Schneider stated that he will vote against this proposal because there is no accountability of the funding.

Councillors Smith and Boyd expressed their approval of this proposal. Councillor Boyd stated that the Council has not before determined what the policy environment for service delivery in Indianapolis should be. He then stated that it is his hope that the Council will examine how social services are delivered in the community and make some decisions about how that should be done.

Councillor Hinkle stated that CCI has and will continue to be accountable for their funding. He stated that there is no real understanding of what it takes to put people to work. There are people who need the access services provided by CCI. He then urged the Council to support this proposal because it will establish a foundation which will allow access services to work



in conjunction with the Administration's desire to place people in jobs and create a better community.

Councillor Williams asked if the Council was assured that the passage of this proposal will ensure that the contracts with CCI will be signed and they will have that money in their budget. Councillor Hinkle stated that if this proposal passes CCI will receive one-half of the funds on January 1, 1995 and then the performance standards will be implemented with regard to the other half of the funding. He then stated that it is his understanding that it is the Mayor's hope that some of the centers will net additional funding by performing above and beyond the set standards. Joe Loftus, Deputy Mayor, stated that the Mayor has made a general commitment that the \$700,000 will be dedicated to CCI for 1995; however, the Mayor has reserved the right to work with the CCI Board of Directors and CCI Centers to put that funding in some sort of a framework that resembles a performance-based contract. Mr. Loftus then stated that the Mayor has been very clear in his interest in moving this funding to a performance-based contract that is tied to employment. The Mayor deems access services as an important service provided by CCI; however, the number one priority is jobs and trying to direct individuals into a job for a period of time.

Councillors Black and McClamroch expressed their approval of the proposal.

Councillor Jimison moved the question. This motion was seconded by Councillor West.

Councillor Hinkle asked if it is the intent of the Administration to rely on certain verbiage with reference to a side agreement to withhold any of the \$700,000 for failure to perform to what the Administration wants. Mr. Loftus stated that all \$700,000 will be dedicated for CCI. Councillor Hinkle stated that in the meeting with the Administration and CCI on December 5, an agreement was reached that the funding would not be tied to the performance standards. Mr. Loftus stated that the Mayor's direct discussion with the members of the CCI Board was that the Administration would pursue and work with CCI for a reasonable approach. Consequently, the Administration has reserved the right to complete those discussions with CCI and their Board of Directors to establish something that resembles a performance-based contract. Councillor Hinkle asked if the Administration's "right" includes withholding any of the \$700,000. Mr. Loftus answered in the negative.

Councillor Williams asked if the \$700,000 could be transferred into the Council's budget. Robert Elrod, General Counsel, answered in the negative and stated that changes in the 1995 budget cannot be made until 1995.

President SerVaas expressed his approval of the proposal.

Councillor O'Dell moved, seconded by Councillor Hinkle, for adoption. Proposal No. 655, 1994 was adopted on the following roll call vote; viz:

*25 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Short, Smith, West, Williams*

*4 NAYS: Dowden, Giffin, Schneider, Shambaugh*

Proposal No. 655, 1994 was retitled SPECIAL RESOLUTION NO. 95, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 95, 1994

A SPECIAL RESOLUTION directing the Office of Youth and Family Services to use the Seven Hundred Thousand Dollars (\$700,000) in their budget to finance the operation of Community Centers of Indianapolis, Inc. for 1995.

WHEREAS, the 1995 City Budget contains an appropriation of Seven Hundred Thousand Dollars (\$700,000) for the Office of Youth and Family Services pending the report of an action task force on Community Centers of Indianapolis, Inc.'s operation; and

WHEREAS, that task force has not completed its review; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Office of Youth and Family Services is directed to use the Seven Hundred Thousand Dollars (\$700,000) in their budget to finance the operation of Community Centers of Indianapolis, Inc. for 1995.

SECTION 2. The administration's task force is urged to continue the process of reviewing and refining R.F.P.'s submitted with a target date for implementation being January 1, 1996 after review during the 1996 budget process.

**SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 606, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 606, 1994 on November 9, 1994. The proposal is an appropriation from the Deferral Program Fee Fund in the amount of \$242,057 for the County Auditor, County Sheriff, Presiding Judge of the Municipal Court and the Prosecuting Attorney financed by Moving Traffic Deferral Fees collected for the period between March and August 1994. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:17 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 606, 1994 was adopted on the following roll call vote; viz:

22 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Gray, Hinkle, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, West*

0 NAYS:

7 NOT VOTING: *Black, Golc, Jimison, Jones, Ruhmkorff, Short, Williams*

Proposal No. 606, 1994 was retitled FISCAL ORDINANCE NO. 118, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 118, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Two Hundred Forty-two Thousand Fifty-seven Dollars (\$242,057) in the Deferral Program Fee Fund for purposes of the County Auditor, County Sheriff, Presiding Judge of the Municipal Court and the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the Deferral Program Fee Fund.



BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b), (aa), (dd) and (x) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of appropriating funds collected from Deferral Traffic Fees in the Deferral Program Fee Fund for period of March through August 1994.

SECTION 2. The sum of Two Hundred Forty-two Thousand Fifty-seven Dollars (\$242,057) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>DEFERRAL PROGRAM FEE FUND</u>
1. Personal Services - fringes	8,750
3. Other Services and Charges	48,463
 <u>COUNTY SHERIFF</u>	
3. Other Services and Charges	27,051
 <u>PRESIDING JUDGE OF THE MUNICIPAL COURT</u>	
3. Other Services and Charges	62,269
 <u>PROSECUTING ATTORNEY</u>	
1. Personal Services	35,000
3. Other Services and Charges	42,005
4. Capital Outlay	<u>18,519</u>
 TOTAL INCREASE	242,057

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>DEFERRAL PROGRAM FEE FUND</u>
Unappropriated and Unencumbered	
Deferral Program Fee Fund	<u>242,057</u>
TOTAL REDUCTION	242,057

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 607, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 607, 1994 on November 9, 1994. The proposal is an appropriation from the State and Federal Grants Fund in the amount of \$6,812 to utilize an increase in the Family Social Services Administration grant for fiscal year 1994-95 which provides Adult Protective Services through the Prosecuting Attorney financed by a state grant. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:19 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 607, 1994 was adopted on the following roll call vote; viz:

21 YEAS: Beadling, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Giffin, Gray, Hinkle, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, West, Williams

0 NAYS:

8 NOT VOTING: Black, Brents, Gilmer, Golc, Jimison, Jones, Ruhmkorff, Short

Proposal No. 607, 1994 was retitled FISCAL ORDINANCE NO. 119, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 119, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Six Thousand Eight Hundred Twelve Dollars (\$6,812) in the State and Federal Grant Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b) and (x) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to utilize an increase in the Family Social Services Administration grant which provides Adult Protective Services for fiscal year 1994-95.

SECTION 2. The sum of Six Thousand Eight Hundred Twelve Dollars (\$6,812) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services, fringes	1,363
<u>PROSECUTING ATTORNEY</u>	
1. Personal Services	5,450
TOTAL INCREASE	6,812

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	6,812
TOTAL REDUCTION	6,812

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 610, 1994. Councillor Schneider reported that the Public Safety and Criminal Justice Committee heard Proposal No. 610, 1994 on December 7, 1994. The proposal is an appropriation from the Drug Free Community Fund in the amount of \$17,300 for the Court Administrator Agency to implement the Expedited Trial Case Program to reduce the jail population awaiting trial financed by unappropriated revenues in that fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it be tabled. Councillor Dowden moved, seconded by Councillor Schneider, to strike. Proposal No. 610, 1994 was stricken by a majority voice vote.

PROPOSAL NO. 611, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 611, 1994 on November 9, 1994. The proposal is an appropriation from the Home Detention User Fee Fund in the amount of



\$245,130 to fund staff positions, home detention equipment and office supplies for fiscal year 1994-95 for Community Corrections financed by unappropriated revenues from that fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:24 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Franklin, for adoption. Proposal No. 611, 1994 was adopted on the following roll call vote; viz:

23 YEAS: *Beadling, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Gray, Hinkle, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

0 NAYS:

6 NOT VOTING: *Black, Boyd, Golc, Jimison, Moriarty Adams, Williams*

Proposal No. 611, 1994 was retitled FISCAL ORDINANCE NO. 120, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 120, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Two Hundred Forty-five Thousand One Hundred Thirty Dollars (\$245,130) in the Home Detention User Fee Fund for purposes of Community Corrections and reducing the unappropriated and unencumbered balance in the Home Detention User Fee Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b) and (bb) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Community Corrections to fund staff positions, home detention equipment and office supplies for fiscal year 1994-95.

SECTION 2. The sum of Two Hundred Forty-five Thousand One Hundred Thirty Dollars (\$245,130) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>HOME DETENTION USER FEE FUND</u>
1. Personal Service - fringes	29,232
 <u>COMMUNITY CORRECTIONS</u>	
1. Personal Services	131,718
2. Supplies	1,500
3. Other Services and Charges	21,680
4. Capital Outlay	<u>61,000</u>
 TOTAL INCREASE	 245,130

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>HOME DETENTION USER FEE FUND</u>
Unappropriated and Unencumbered	
Home Detention User Fee Fund	<u>245,130</u>
TOTAL REDUCTION	245,130

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 635, 1994. Councillor Schneider reported that the Public Safety and Criminal Justice Committee heard Proposal No. 635, 1994 on December 7, 1994. The proposal is an appropriation from the State and Federal Grants Fund in the amount of \$45,000 for the Marion County Public Defender Agency to cover the expenses of the pretrial release and sentencing resources project financed by a state grant. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:26 p.m. There being no one present to testify, Councillor Schneider moved, seconded by Councillor West, for adoption. Proposal No. 635, 1994 was adopted on the following roll call vote; viz:

24 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Hinkle, Jones, McClamroch, Mullin, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
1 NAY: *Rhodes*  
4 NOT VOTING: *Gole, Gray, Jimison, Moriarty Adams*

Proposal No. 635, 1994 was retitled FISCAL ORDINANCE NO. 121, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 121, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Forty-Five Thousand Dollars (\$45,000) in the State and Federal Grants Fund for the Marion County Public Defender Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (w) and (b) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for the purpose of the Marion County Public Defender Agency and the County Auditor to pay the expenses of the pretrial release and sentencing resources project. This project is intended to make sentencing support services available to public defenders and indigent non-violent, drug addicted offenders.

SECTION 2. The sum of Forty-five Thousand (\$45,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY PUBLIC DEFENDER AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	21,000
2. Supplies	2,370
3. Other Services and Charges	12,630
4. Capital Outlay	3,750
 <u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	5,250
TOTAL INCREASE	45,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	45,000
TOTAL REDUCTION	45,000



SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 674, 1994. Councillor Schneider reported that the Public Safety and Criminal Justice Committee heard Proposal No. 674, 1994 on December 7, 1994. The proposal is an appropriation from the County General Fund in the amount of \$150,000 for the County Sheriff to fund the last payroll in 1994 financed by transferring appropriated funds from the Clerk of the Circuit Court. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:27 p.m. There being no one present to testify, Councillor Schneider moved, seconded by Councillor Mullin, for adoption. Proposal No. 674, 1994 was adopted on the following roll call vote; viz:

22 YEAS: *Beadling, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Hinkle, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

2 NAYS: *Black, Williams*

5 NOT VOTING: *Borst, Golc, Gray, Jimison, Moriarty Adams*

Councillor Williams asked for permission to explain her vote. Permission was granted. Councillor Williams stated that she finds it very interesting that there was much discussion about not being able to appropriate \$6,000 for Judge Miller yet the Marion County Clerk has \$150,000 in her budget that she can spare for the Sheriff.

Proposal No. 674, 1994 was retitled FISCAL ORDINANCE NO. 122, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 122, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional One Hundred Fifty Thousand Dollars (\$150,000) in the County General Fund for purposes of County Sheriff and reducing and transferring certain other appropriations from the Clerk of the Circuit Court.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02. (aa) and (d) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Sheriff for the last payroll of 1994.

SECTION 2. The sum of One Hundred Fifty Thousand Dollars (\$150,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

COUNTY SHERIFF  
1. Personal Services  
TOTAL INCREASE

COUNTY GENERAL FUND  
150,000  
150,000

December 12, 1994

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>CLERK OF THE CIRCUIT COURT</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	<u>150,000</u>
TOTAL DECREASE	150,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 675, 1994. Councillor Schneider reported that the Public Safety and Criminal Justice Committee heard Proposal No. 675, 1994 on December 7, 1994. The proposal is an appropriation from the State and Federal Grants Fund in the amount of \$71,350 for the Superior Court, Criminal Division, Probation Department, to fund additional staff and computer equipment financed by a state grant. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:28 p.m. There being no one present to testify, Councillor Schneider moved, seconded by Councillor Jimison, for adoption. Proposal No. 675, 1994 was adopted on the following roll call vote; viz:

24 YEAS: Black, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith, West, Williams  
0 NAYS:  
5 NOT VOTING: Beadling, Borst, Golc, Gray, Short

Proposal No. 675, 1994 was retitled FISCAL ORDINANCE NO. 123, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 123, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Seventy One Thousand Three Hundred Fifty Dollars (\$71,350) in the State and Federal Grants Fund for purposes of the Superior Court, Criminal Division, Probation Department, and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02. (mm) and (b) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Criminal Division, Probation Department, for computerization equipment and necessary staffing.

SECTION 2. The sum of Seventy One Thousand Three Hundred Fifty Dollars (\$71,350) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>SUPERIOR COURT, CRIMINAL DIVISION, PROBATION DEPARTMENT</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	30,000
4. Capital Outlay	33,700
<u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	<u>7,650</u>
TOTAL INCREASE	71,350



SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>71,350</u>
TOTAL REDUCTION	71,350

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Coughenour asked for permission to hear Proposals 676, 677, and 678, 1994 together. Permission was granted.

PROPOSAL NOS. 676, 677, and 678, 1994. PROPOSAL NO. 676, 1994. The proposal is an appropriation from the Sanitation General Fund in the amount of \$2,132,806 for the Department of Public Works (DPW), Storm and Wastewater Management Division, to cover unanticipated expenses related to the transition to contract management of the Advanced Wastewater Treatment facility financed by equal reductions in DPW's Maintenance Operations Division and Solid Waste Management Division. PROPOSAL NO. 677, 1994. The proposal approves reductions in proposed expenditures since the adoption of the 1994 City-County Annual Budget in the amount of \$1,221,916 in the Department of Public Works' (DPW), Maintenance Operations Division and Solid Waste Management Division in support of increased expenditures in DPW's Storm and Wastewater Management Division related to unanticipated expenses in the transition to contract management of the Advance Wastewater Treatment facility. PROPOSAL NO. 678, 1994. The proposal is an appropriation from the Maintenance Operations General Fund and Consolidated County Fund in the amount of \$650,000 for the Department of Public Works, Maintenance Operations Division, to purchase capital equipment and supplies for the new customer service response team and the street and sewer maintenance area financed by transferring other appropriated funds from DPW's Maintenance Operations Division and Administration. Councillor Coughenour reported that the Public Works Committee heard Proposal Nos. 676, 677, and 678, 1994 on December 8, 1994. By 5-0 votes, the Committee reported Proposal Nos. 676 and 678, 1994 to the Council with the recommendation that they do pass. By a 5-0 vote, the Committee reported Proposal No. 677, 1994 to the Council that it do pass as amended.

The President called for public testimony at 8:37 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Beadling, for adoption. Proposal Nos. 676, 677, and 678, 1994 were adopted on the following roll call vote; viz:

22 YEAS: *Beadling, Borst, Coughenour, Curry, Dowden, Franklin, Golc, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

7 NOT VOTING: *Black, Boyd, Brents, Giffin, Gilmer, Gray, Hinkle*

Proposal No. 676, 1994 was retitled FISCAL ORDINANCE NO. 124, 1994 and reads as follows:

December 12, 1994

CITY-COUNTY FISCAL ORDINANCE NO. 124, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Two Million One Hundred Thirty-two Thousand Eight Hundred Six Dollars (\$2,132,806) in the Sanitation General Fund for purposes of the Department of Public Works, Storm and Wastewater Management Division and reducing the unappropriated and unencumbered balance in the Sanitation General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (k) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Department of Public Works, Storm and Wastewater Management Division to cover unanticipated expenses related to the transition to contract management of the Advanced Wastewater Treatment facility.

SECTION 2. The sum of Two Million One Hundred Thirty-two Thousand Eight Hundred Six Dollars (\$2,132,806) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC WORKS

STORM AND WASTEWATER MANAGEMENT DIVISION

SANITATION GENERAL FUND

1. Personal Services	439,746
2. Supplies	5,278
3. Other Services and Charges	<u>1,687,782</u>
TOTAL INCREASE	2,132,806

SECTION 4. The said additional appropriation is funded by the following reductions:

SANITATION GENERAL FUND

Unappropriated and Unencumbered	
Sanitation General Fund	<u>2,132,806</u>
TOTAL REDUCTION	2,132,806

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 677, 1994, as amended, was retitled FISCAL ORDINANCE NO. 125, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 125, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) by reducing appropriations by One Million Two Hundred Twenty-one Thousand Nine Hundred Sixteen Dollars (\$1,221,916) in the following: Maintenance Operations General Fund and Solid Waste Disposal Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. To reflect reductions in proposed expenditures since the adoption of the annual budget, Section 1.01 (k) of the City-County Annual Budget for 1994 be, and is hereby, amended by the reductions hereinafter stated.

SECTION 2. The following appropriations are hereby reduced:



<u>DEPARTMENT OF PUBLIC WORKS</u>	
<u>MAINTENANCE OPERATIONS DIVISION</u>	<u>MAINTENANCE OPERATIONS GENERAL FUND</u>
2. Supplies	100,000
3. Other Services and Charges	476,150
TOTAL REDUCTION MAINTENANCE OPERATIONS GENERAL FUND	576,150

<u>DEPARTMENT OF PUBLIC WORKS</u>	
<u>SOLID WASTE MANAGEMENT DIVISION</u>	<u>SOLID WASTE DISPOSAL FUND</u>
2. Supplies	100,000
3. Other Services and Charges	545,766
TOTAL REDUCTION SOLID WASTE DISPOSAL FUND	645,766

GRAND TOTAL	1,221,916
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SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 678, 1994 was retitled FISCAL ORDINANCE NO. 126, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 126, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Six Hundred Fifty Thousand Dollars (\$650,000) in the Maintenance Operations General Fund for purposes of the Department of Public Works, Maintenance Operations Division, and reducing certain other appropriations for that division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (k) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Department of Public Works, Maintenance Operations Division, to purchase capital equipment and supplies for the new customer service response team, and the street and sewer maintenance area.

SECTION 2. The sum of Six Hundred Fifty Thousand Dollars (\$650,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	
<u>MAINTENANCE OPERATIONS DIVISION</u>	<u>MAINTENANCE OPERATIONS GENERAL FUND</u>
2. Supplies	30,000
4. Capital Outlay	620,000
TOTAL INCREASE	650,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>DEPARTMENT OF PUBLIC WORKS</u>	
<u>MAINTENANCE OPERATIONS DIVISION</u>	<u>MAINTENANCE OPERATIONS GENERAL FUND</u>
1. Personal Services	343,000
3. Other Services and Charges	207,000
TOTAL REDUCTION	550,000

<u>DEPARTMENT OF PUBLIC WORKS</u>	
<u>ADMINISTRATION</u>	<u>CONSOLIDATED COUNTY FUND</u>
3. Other Services and Charges	100,000
TOTAL REDUCTION	100,000
GRAND TOTAL ALL REDUCTIONS	650,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

### SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 526, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 526, 1994 on November 16, 1994. The Proposal amends the Code by authorizing a traffic signal at 86th Street and Haverstick Road (Districts 3, 7). Councillor Gilmer stated that this traffic signal will be paid for by the developer, Eaton & Lauth. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Schneider, for adoption. Proposal No. 526, 1994 was adopted on the following roll call vote; viz:

20 YEAS: *Beadling, Borst, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Smith, West, Williams*

0 NAYS:

9 NOT VOTING: *Black, Boyd, Brents, Gilmer, Gray, Hinkle, Moriarty Adams, Schneider, Short*

Proposal No. 526, 1994 was retitled GENERAL ORDINANCE NO. 164, 1994 and reads as follows:

#### CITY-COUNTY GENERAL ORDINANCE NO. 164, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

#### BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
4, Pg. 6	86th St, Haverstick Rd	86th St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
4, Pg. 6	86th St, Haverstick Rd	None	Signal

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

### SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 636, 1994. Councillor Schneider reported that the Public Safety and Criminal Justice Committee heard Proposal No. 636, 1994 on December 7, 1994. The Proposal is an appropriation from the County General Fund in the amount of \$41,800 for the Court Administrator Agency to pay the expenses associated with maintaining current materials for the Law Library and courts and to purchase computer equipment for the Jury Pool Coordinator's Office and General Term Reporter financed by transferring other appropriations for that agency. By a 7-0 vote, the Committee reported the proposal to the



Council with the recommendation that it do pass as amended. Councillor Schneider moved, seconded by Councillor West, for adoption. Proposal No. 636, 1994, as amended, was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*  
2 NAYS: *Gray, Williams*  
1 NOT VOTING: *Hinkle*

Proposal No. 636, 1994, as amended, was retitled FISCAL ORDINANCE NO. 127, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 127, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Forty-one Thousand Eight Hundred Dollars (\$41,800) in the County General Fund for the purposes of the Court Administrator Agency and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (xx) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for the purpose of the Court Administrator Agency to pay the expenses associated with maintaining current materials for the Law Library and courts and to purchase computer equipment for the Jury Pool Coordinator's Office and General Term Reporter.

SECTION 2. The sum of Forty-one Thousand Eight Hundred Dollars (\$41,800) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COURT ADMINISTRATOR AGENCY</u>	<u>COUNTY GENERAL FUND</u>
4. Capital Outlay	<u>41,800</u>
TOTAL INCREASE	41,800

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>COURT ADMINISTRATOR AGENCY</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	<u>2,400</u>
3. Other Services and Charges	<u>39,400</u>
TOTAL DECREASE	41,800

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 666, 1994. Councillor Schneider reported that the Public Safety and Criminal Justice Committee heard Proposal No. 666, 1994 on December 7, 1994. The proposal, sponsored by Councillor Franklin, is an appropriation from the County General Fund in the amount of \$1,088 for the Superior Court, Criminal Division, Room Three, to pay for supplies through year-end 1994 financed by transferring other appropriations for that court. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Schneider moved, seconded by Councillor Franklin, for adoption. Proposal No. 666, 1994 was adopted on the following roll call vote; viz:

December 12, 1994

24 YEAS: *Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
5 NAYS: *Beadling, Black, Golc, Hinkle, Ruhmkorff*

Proposal No. 666, 1994 was retitled FISCAL ORDINANCE NO. 128, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 128, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional One Thousand Eighty-eight Dollars (\$1,088) in the County General Fund for purposes of the Superior Court, Criminal Division, Room Three, and reducing certain other appropriations for that court.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (hh) of the City-County Annual Budget for 1994, be and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Criminal Division, Room Three, to pay for supplies through year-end 1994.

SECTION 2. The sum of One Thousand Eighty-eight Dollars (\$1,088) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM THREE</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	1,088
TOTAL INCREASE	1,088

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM THREE</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	1,088
TOTAL DECREASE	1,088

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 667, 1994. Councillor Schneider reported that the Public Safety and Criminal Justice Committee heard Proposal No. 667, 1994 on December 7, 1994. The proposal is an appropriation from the County General Fund in the amount of \$2,000 for the Superior Court, Criminal Division, Room One, to cover the cost of supplies and stamps for the balance of 1994 and to purchase a fax machine financed by transferring other appropriations for that court. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Schneider moved, seconded by Councillor Jimison, for adoption. Proposal No. 667, 1994 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
2 NAYS: *Golc, Hinkle*  
1 NOT VOTING: *Black*



Proposal No. 667, 1994 was retitled FISCAL ORDINANCE NO. 129, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 129, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Two Thousand Dollars (\$2,000) in the County General Fund for purposes of the Superior Court, Criminal Division, Room One, and reducing certain other appropriations for that court.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (ff) of the City-County Annual Budget for 1994, be and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Criminal Division, Room One, to cover the cost of supplies, stamps, and fax machine purchases.

SECTION 2. The sum of Two Thousand Dollars (\$2,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM ONE</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	1,000
3. Other Services and Charges	<u>1,000</u>
TOTAL INCREASE	2,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM ONE</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	<u>2,000</u>
TOTAL DECREASE	2,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 668, 1994. Councillor Schneider reported that the Public Safety and Criminal Justice Committee heard Proposal No. 668, 1994 on December 7, 1994. The proposal is an appropriation from the County General Fund in the amount of \$8,000 for the Marion County Public Defender Agency to purchase new computers financed by transferring other appropriations for that agency. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Schneider moved, seconded by Councillor Dowden, for adoption. Proposal No. 668, 1994 was adopted on the following roll call vote; viz:

24 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
2 NAYS: *Hinkle, Ruhmkorff*  
3 NOT VOTING: *Giffin, Golc, Rhodes*

Proposal No. 668, 1994 was retitled FISCAL ORDINANCE NO. 130, 1994 and reads as follows:

December 12, 1994

CITY-COUNTY FISCAL ORDINANCE NO. 130, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Eight Thousand Dollars (\$8,000) in the County General Fund for purposes of the Marion County Public Defender Agency and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (w) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Marion County Public Defender Agency to purchase new computers for use within that agency.

SECTION 2. The sum of Eight Thousand Dollars (\$8,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION COUNTY PUBLIC DEFENDER AGENCY</u>	<u>COUNTY GENERAL FUND</u>
4. Capital Outlay	<u>8,000</u>
TOTAL INCREASE	8,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION COUNTY PUBLIC DEFENDER AGENCY</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	<u>8,000</u>
TOTAL DECREASE	8,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 531, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 531, 1994 on December 9, 1994. The proposal amends the Code by authorizing a passenger and material loading zone for One Penn Partners on Washington Street (District 16). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Gilmer moved, seconded by Councillor Brents, for adoption. Proposal No. 531, 1994, as amended, was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Gray, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

2 NOT VOTING: *Gilmer, Hinkle*

Proposal No. 531, 1994, as amended, was retitled GENERAL ORDINANCE NO. 165, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 165, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-331, Passenger and material loading zones.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:



SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-331, Passenger and material loading zone, be, and the same is hereby amended by the addition of the following, to wit:

Washington Street, from  
a point 112 feet east of Pennsylvania Street  
to a point 143 feet east of Pennsylvania Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, and 670, 1994. Councillor Gilmer discussed these proposals together. PROPOSAL NO. 638, 1994. The proposal amends the Code by authorizing stop signs for the Maple Glen subdivision (District 24). PROPOSAL NO. 639, 1994. The Proposal amends the Code by authorizing stop signs for Guion Lakes subdivision (District 9). PROPOSAL NO. 640, 1994. The proposal amends the Code by authorizing stop signs for the Shadow Ridge subdivision (District 4). PROPOSAL NO. 641, 1994. The proposal amends the Code by authorizing intersection controls for Liberty Creek subdivision (District 1). PROPOSAL NO. 642, 1994. The proposal amends the Code by authorizing a multi-way stop at Moore Road and 88th Street (District 1). PROPOSAL NO. 643, 1994. The proposal amends the Code by authorizing a multi-way stop at 13th Street and Downey Avenue (District 15). PROPOSAL NO. 644, 1994. The proposal amends the Code by authorizing a multi-way stop at County Line Road East and 56th Street (District 5). PROPOSAL NO. 645, 1994. The proposal amends the Code by authorizing a multi-way stop at Waldemere Avenue and Chelsea Road (District 19). PROPOSAL NO. 646, 1994. The proposal amends the Code by authorizing a multi-way stop at Burke Street and Conaroe Street (District 19). PROPOSAL NO. 647, 1994. The proposal amends the Code by authorizing a multi-way stop at Layman Avenue, 40th Street and Ritter Avenue (District 14). PROPOSAL NO. 648, 1994. The proposal amends the Code by authorizing a multi-way stop at Arabian Run and West 48th Street (District 9). PROPOSAL NO. 649, 1994. The proposal amends the Code by authorizing stop signs at Legrande Avenue and Hobart Road and at Legrande Avenue and Nolan Avenue (District 21). PROPOSAL NO. 650, 1994. The proposal amends the Code by authorizing a multi-way stop at Ritter Avenue, Connection Avenue and Troy Avenue (Districts 13, 23). PROPOSAL NO. 670, 1994. The proposal amends the Code by authorizing a multi-way stop at Bancroft Avenue and Walnut Street (District 15). Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, and 670, 1994 on December 9, 1994. By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Short, for adoption. Proposal Nos. 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, and 670, 1994 were adopted on the following roll call vote; viz:

29 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*  
0 NAYS:

Proposal No. 638, 1994 was retitled GENERAL ORDINANCE NO. 166, 1994 and reads as follows:

December 12, 1994

CITY-COUNTY GENERAL ORDINANCE NO. 166, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
40, Pg. 3	Blackstone Av/ Jekyll Ct	Blackstone Av	Stop
40, Pg. 3	Blackstone Av/ St. Simons Ct	St. Simons Ct	Stop
40, Pg. 3	Brunswick Av/ Gray Rd	Gray Rd	Stop
40, Pg. 3	Brunswick Av/ Sapelo Dr	None	All Way Stop
40, Pg. 3	Brunswick Av, St. Simons Dr, Maple Manor Dr	Brunswick Av	Stop
40, Pg. 11	Maple Manor Dr/ Sapelo Dr	Maple Manor Dr	Stop
40, Pg. 12	Sapelo Dr/ St. Simons Ct	St. Simons Ct	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 639, 1994 was retitled GENERAL ORDINANCE NO. 167, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 167, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9, Pg. 6	Guion Lakes Dr, Lakefield Dr, Guion Lakes Ter	Guion Lakes Dr	Stop
9, Pg. 6	Guion Lakes Dr, Guion Lakes Blvd	None	All Way Stop
9, Pg. 6	Guion Lakes Dr, Lakefield Ct	Guion Lakes Dr	Stop



9, Pg. 6	Guion Lakes Dr, Lakefield Trace	Guion Lakes Dr	Stop
9, Pg. 6	Guion Lakes Blvd, Guion Rd	Guion Rd	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 640, 1994 was retitled GENERAL ORDINANCE NO. 168, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 168, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
6, Pg. 2	Bean Blossom Cir, Salt Fork Way	Salt Fork Way	Yield
6, Pg. 9	Flat Rock Ct, Stonebranch Dr E	Stonebranch Dr E	Yield
6, Pg. 13	Pocket Hollow Ct, Stonebranch Dr S	Stonebranch Dr S	Yield
6, Pg. 14	Stonebranch, Dr N, Wade Hill Ct	Stonebranch DR N	Yield

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
6, Pg. 2	Bean Blossom Cir, Salt Fork Way	Salt Fork Way	Stop
6, Pg. 9	Flat Rock Ct, Stonebranch Dr E	Stonebranch Dr E	Stop
6, Pg. 13	Pocket Hollow Ct, Stonebranch Dr S	Stonebranch Dr S	Stop
6, Pg. 14	Stonebranch, Dr N, Wade Hill Ct	Stonebranch DR N	Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 641, 1994 was retitled GENERAL ORDINANCE NO. 169, 1994 and reads as follows:

December 12, 1994

CITY-COUNTY GENERAL ORDINANCE NO. 169, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9, Pg. 4	Vicksburg Dr, Pillory Pl	Vicksburg Dr	Stop
9, Pg. 4	Vicksburg Dr, Macbeth Way	Vicksburg Dr	Stop
9, Pg. 4	Vicksburg Dr, Polonius Dr	Vicksburg Dr	Stop
9, Pg. 4	Vicksburg Dr, Petersburg Pkwy	Vicksburg Dr	Stop
9, Pg. 1	Petersburg Pkwy Bonie Dr	Petersburg Pkwy	Stop
9, Pg. 4	Petersburg Pkwy Portillo Pl	Petersburg Pkwy	Stop
9, Pg. 1	Petersburg Pkwy Ann Marie Way	Petersburg Pkwy	Stop
9, Pg. 4	Petersburg Pkwy Volunteer Dr	Petersburg Pkwy	Yield
9, Pg. 5	Terrytown Pkwy, Vicksburg Dr	Terrytown Pkwy	Stop
9, Pg. 4	Terrytown Pkwy, Porterwood Pl	Terrytown Pkwy	Stop
9, Pg. 4	Terrytown Pkwy, Rains Ln	Terrytown Pkwy	Stop
9, Pg. 3	King Lear Dr, Tybalt Ln	King Lear Dr	Stop
9, Pg. 3	King Lear Dr, King Lear Ct	King Lear Dr	Stop
9, Pg. 3	King Lear Dr, Macbeth Way	King Lear Dr	Stop
9, Pg. 3	King Lear Dr, Jester Ct	King Lear Dr	Stop
9, Pg. 3	King Lear Dr, Tybalt Ct	King Lear Dr	Yield
9, Pg. 3	King Lear Dr, Macbeth Ct	King Lear Dr	Yield



*Journal of the City-County Council*

9, Pg. 4	Pillory Pl, Porterwood Pl	Pillory Pl	Stop
9, Pg. 4	Pillory Pl, Rains Ln	Pillory Pl	Stop
9, Pg. 4	Porterwood Pl, Porterwood Ct	Porterwood Pl	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 642, 1994 was retitled GENERAL ORDINANCE NO. 170, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 170, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
1, Pg. 3	Moore Rd, 88th St	Moore Rd	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
1, Pg. 3	Moore Rd, 88th St	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 643, 1994 was retitled GENERAL ORDINANCE NO. 171, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 171, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 15	Downey Av, 13th St	13th St	Stop

December 12, 1994

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 15	Downey Av, 13th St	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 644, 1994 was retitled GENERAL ORDINANCE NO. 172, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 172, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
14, Pg. 1	County Line Rd E, 56th St	County Line Rd E	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
14, Pg. 1	County Line Rd E, 56th St	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 645, 1994 was retitled GENERAL ORDINANCE NO. 173, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 173, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
30, Pg. 4	Waldemere Av, Chelsea Rd	Chelsea Rd	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:



<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
30, Pg. 4	Waldemere Av, Chelsea Rd	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 646, 1994 was retitled GENERAL ORDINANCE NO. 174, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 174, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
29, Pg. 2	Burke St, Conaroe St	Burke St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
29, Pg. 2	Burke St, Conaroe St	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 647, 1994 was retitled GENERAL ORDINANCE NO. 175, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 175, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
19, Pg. 18	Layman Av, 40th St	40th St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

December 12, 1994

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
19, Pg. 18	Layman Av, 40th St, Ritter Av	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 648, 1994 was retitled GENERAL ORDINANCE NO. 176, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 176, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
16, Pg. 1	Arabian Run, W. 48th St.	None	All Way Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 649, 1994 was retitled GENERAL ORDINANCE NO. 177, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 177, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
33, Pg. 13	Hobart Rd, Legrande Av	None	None
33, Pg. 14	Legrande Av, Nolan Av	None	None

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
33, Pg. 13	Hobart Rd, Legrande Av	Hobart Rd	Stop
33, Pg. 14	Legrande Av, Nolan Av	Legrande Av	Stop



SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 650, 1994 was retitled GENERAL ORDINANCE NO. 178, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 178, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
33, Pg. 8	Ritter Av, Connection Av	Connection Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
33, Pg. 8	Ritter Av, Connection Av, Troy Av	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 670, 1994 was retitled GENERAL ORDINANCE NO. 179, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 179, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 4	Bancroft Av/ Walnut St	Bancroft Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-92, Schedule of intersection controls, be, and the same is hereby, amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 4	Bancroft Av/ Walnut St	None	All Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 652, 653, and 654, 1994. Councillor Gilmer discussed these proposals together. PROPOSAL NO. 652, 1994. The proposal amends the Code by authorizing parking restrictions for College Avenue, on the westside, from 11th Street to 700' north of 11th Street (District 22). PROPOSAL NO. 653, 1994. The proposal amends the Code by authorizing parking restrictions on Bayhead Drive from 34th Street to 38th Street (District 8). PROPOSAL NO. 654, 1994. The proposal amends the Code by authorizing parking restrictions on Ohio Street, on the southside, from Bellview Place to Mount Street; and on Mount Street, on the westside, from Ohio Street to 215 feet south of Ohio Street (District 17). Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 652, 653, and 654, 1994 on December 9, 1994. By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Williams, for adoption. Proposal Nos. 652, 653, and 654, 1994 were adopted on the following roll call vote; viz:

*28 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

*0 NAYS:*

*1 NOT VOTING: Black*

Proposal No. 652, 1994 was retitled GENERAL ORDINANCE NO. 180, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 180, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-267, Parking prohibited at all times on certain streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the addition of the following, to wit:

College Avenue, on the west side,  
from Eleventh Street to 700 feet north of Eleventh Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 653, 1994 was retitled GENERAL ORDINANCE NO. 181, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 181, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-267, Parking prohibited at all times on certain streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the addition of the following, to wit:

Bayhead Drive, on both sides,  
from Thirty-fourth Street to Thirty-eight Street



SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 654, 1994 was retitled GENERAL ORDINANCE NO. 182, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 182, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-270, Parking prohibited during specified hours on certain days.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-270, Parking prohibited during specified hours on certain days, be, and the same is hereby amended by the addition of the following, to wit:

ON ANY DAY EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS

*from 8:00 a.m. to 9:30 a.m. and*

*from 3:00 p.m. to 4:30 p.m.*

Ohio Street, on the southside,  
from Bellview Place to Mount Street

Mount Street, on the westside,  
from Ohio Street to a point 215 feet south of Ohio Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 669, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 669, 1994 on December 9, 1994. The proposal amends the Code by changing the name of the Department of Capital Asset Management to the Department of Engineering and changing the name of the Board of Capital Asset Management to the Board of Engineering. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Gilmer moved, seconded by Councillor O'Dell, to strike. Proposal No. 669, 1994 was stricken by a majority voice vote.

PROPOSAL NO. 634, 1994. Councillor Schneider moved, seconded by Councillor Short, to suspend the Rules of Council and hear Proposal No. 634, 1994 at this time. The motion carried by a majority voice vote. Councillor Schneider stated that Public Safety and Criminal Justice Committee heard Proposal No. 634, 1994 on December 7, 1994. The proposal is an appropriation from the County General Fund in the amount of \$2,180 for the Superior Court, Criminal Division, Room Six, to cover 1994 outstanding supply bills and to purchase supplies for Judge Carr Darden's replacement financed by transferring other appropriations for that court. By a 4-3 vote, the Committee reported the proposal to the Council with the recommendation that it be postponed. Since that time, it has been established that \$200 could be reduced from this proposal for stationery and other supplies. Councillor Schneider asked for consent to accept the proposal as amended. Consent was given. Councillor West asked if this money is for new letterhead for an interim judge. Mr. Engelking stated that the \$200 is for the purposes of prepositioning a purchase order that would buy letterhead for a new judge to be appointed. The remaining balance is to pay for already incurred supply bills. Councillor Schneider moved, seconded by Councillor Short, for adoption.

Proposal No. 634, 1994, as amended, was adopted on the following roll call vote; viz:

December 12, 1994

19 YEAS: Black, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, Rhodes, Schneider, SerVaas, Short, West, Williams  
9 NAYS: Borst, Gilmer, Golc, Gray, Hinkle, O'Dell, Ruhmkorff, Shambaugh, Smith  
1 NOT VOTING: Beadling

Proposal No. 634, 1994, as amended, was retitled FISCAL ORDINANCE NO. 131, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 131, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional One Thousand Nine Hundred Thirty Dollars (\$1,930) in the County General Fund for purposes of the Superior Court, Criminal Division, Room Six, and reducing certain other appropriations for that court.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (kk) of the City-County Annual Budget for 1994 be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of the Superior Court, Criminal Division, Room Six, to pay outstanding bills in Character 02.

SECTION 2. The sum of One Thousand Nine Hundred Thirty (\$1,930) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM SIX</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	1,930
TOTAL INCREASE	1,930

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM SIX</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	1,359
4. Capital Outlay	571
TOTAL DECREASE	1,930

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor West moved, seconded by Councillor Schneider, to strike Proposal No. 432, 1994. The motion carried by a majority voice vote.

Councillor Schneider asked if the Council would like an update on the new baseball stadium lease that was heard in the Municipal Corporations Committee on December 5, 1994. Due to the late hour, the President requested Councillor Schneider to report on the baseball lease at the next Council meeting.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council has been completed, the Chair will now entertain motions for adjournment.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Carl Hindel. He respectfully asked the support of fellow Councillors. He further requested that the motion be



made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the family advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:18 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 12th day of December, 1994.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

*Burt Sernaas*

President

ATTEST:

*Sullen Hart*

Clerk of the Council

(SEAL)

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
1 SPONSORED BY: Rhodes					
DIGEST: amending the Revised Code by delegating to the Indianapolis Fleet Services division the authority to establish administrative fees charged to non-City entities that use the services of the division					
REFERRED TO: Administration and Finance Committee					
	Adopted	01/31/94	02/07/94	G.O. 4	44
2 SPONSORED BY: Rhodes					
DIGEST: approving a public purpose grant in the amount of \$25,000 to Central Indiana Radio Reading, Inc.					
REFERRED TO: Administration and Finance Committee					
	Adopted	01/31/94	02/07/94	S.R. 7	45
3 SPONSORED BY: Coughenour					
DIGEST: amending the Revised Code concerning the continuation of sewer user fees					
REFERRED TO: Public Works Committee					
	Adopted	02/14/94	02/22/94	G.O. 15	76
4 SPONSORED BY: Coughenour					
DIGEST: amending the Code concerning sick time conversion for Advanced Wastewater Treatment plant employees					
REFERRED TO: Public Works Committee					
	Adopted	01/31/94	02/07/94	G.O. 5	46
5 SPONSORED BY: Short					
DIGEST: limiting the number of special resolutions that may be introduced					
REFERRED TO: Rules and Public Policy Committee					
	Postponed Indefinitely				
6 SPONSORED BY: Giffin					
DIGEST: recognizing Steven Rink, Decatur Township Trustee					
REFERRED TO: Whole Committee					
	Adopted	01/10/94	01/18/94	S.R. 1	5
7 SPONSORED BY: Williams, Boyd					
DIGEST: concerning the privatization of the Advanced Wastewater Treatment plant					
REFERRED TO: Whole Committee					
	Withdrawn				
8 SPONSORED BY: Borst					
DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 4, 6706 East 82nd Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	01/10/94	Not Req.	R.O. 1	10
9 SPONSORED BY: Borst					
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 701 South Mitthoefer Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	01/10/94	Not Req.	R.O. 2	10



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
10 SPONSORED BY: Borst DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 2221-2249 West Minnesota Street (approximate address) REFERRED TO: Whole Committee	Rejected	01/31/94			41
11 SPONSORED BY: Borst DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 1702 South Franklin Road (approximate address) REFERRED TO: Whole Committee	Adopted	01/10/94	Not Req.	R.O. 3	11
12 SPONSORED BY: Borst DIGEST: rezoning ordinance for Washington Township, Councilmanic District 7, 2502 East 46th Street (approximate address) REFERRED TO: Whole Committee	Adopted	01/10/94	Not Req.	R.O. 4	11
13 SPONSORED BY: Borst DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 8015 Bluff Road (approximate address) REFERRED TO: Whole Committee	Adopted	01/10/94	Not Req.	R.O. 5	11
14 SPONSORED BY: Borst DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 1201 Byland Drive (approximate address) REFERRED TO: Whole Committee	Adopted	01/10/94	Not Req.	R.O. 6	11
15 SPONSORED BY: Borst DIGEST: rezoning ordinance for Washington Township, Councilmanic District 3, 1101 East 96th Street (approximate address) REFERRED TO: Whole Committee	Adopted	01/10/94	Not Req.	R.O. 7	11
16 SPONSORED BY: Borst DIGEST: rezoning ordinance for Washington Township, Councilmanic District 3, 4625 East 82nd Street (approximate address) REFERRED TO: Whole Committee	Adopted	01/10/94	Not Req.	R.O. 8	11
17 SPONSORED BY: Borst DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 8221 Morgantown Road (approximate address) REFERRED TO: Whole Committee	Adopted	01/10/94	Not Req.	R.O. 9	11

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
18 SPONSORED BY: Borst					
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 12, 9515 Shoreland Lane (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	01/10/94	Not Req.	R.O. 10	12
19 SPONSORED BY: Borst					
DIGEST: rezoning ordinance for Franklin Township, Councilmanic District 23, 7633 Southeastern Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	01/10/94	Not Req.	R.O. 11	12
20 SPONSORED BY: West					
DIGEST: amending Council Resolution No. 19, 1991 to correct the expiration date of the term of William B. Powers as a member of the Citizens Police Complaint Board					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Stricken	02/14/94			82
21 SPONSORED BY: Curry					
DIGEST: providing procedures for hearings on transition of operation of AWT plant					
REFERRED TO: Whole Committee					
	Adopted	01/10/94	Not Req.	S.R. 2	7
22 SPONSORED BY: Rhodes					
DIGEST: appropriating \$3,059,900 for the Department of Administration, Indianapolis Fleet Services Division, to purchase replacement vehicles for its fleet					
REFERRED TO: Administration and Finance Committee					
	Adopted	02/28/94	03/07/94	F.O. 3	105
23 SPONSORED BY: Rhodes					
DIGEST: appropriating \$165,549 for Voters Registration to restore 1994 budget to election level by increasing Characters 01, 02, 03 and 04					
REFERRED TO: Administration and Finance Committee					
	Adopted	02/14/94	02/22/94	F.O. 2	78
24 SPONSORED BY: McClamroch					
DIGEST: reappointing Urban I. Merl, Jr. to the Alcoholic Beverage Board of Marion County					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	02/14/94	Not Req.	C.R. 39	71
25 SPONSORED BY: Gilmer					
DIGEST: approving the leasing of property within Eagle Creek Park by the Department of Parks and Recreation for the purpose of establishing a restaurant and marina facility					
REFERRED TO: Parks and Recreation Committee					
	Adopted	02/28/94	03/07/94	S.R. 11	91



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
26 SPONSORED BY: Franklin					
DIGEST: appropriating \$8,413 for the Superior Court, Criminal Division, Room Five, to fund an additional clerk's position					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	12/12/94	Not Req.	F.O. 116	1052
27 SPONSORED BY: Dowden					
DIGEST: renewing the Community Corrections program for fiscal year 1994- 1995 and approving the Community Corrections Advisory Board's grant application to the State					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	02/14/94	Not Req.	C.R. 40	82
28 SPONSORED BY: Curry					
DIGEST: amending the Revised Code by revising the Council rules establishing committees					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	02/14/94	02/22/94	G.O. 17	83
29 SPONSORED BY: Gilmer, SerVaas, O'Dell					
DIGEST: recognizing Harry Feldman					
REFERRED TO: Whole Committee					
	Adopted	01/31/94	02/07/94	S.R. 4	32
30 SPONSORED BY: Franklin					
DIGEST: requesting that the Albert Pike Monument be removed					
REFERRED TO: Rules and Public Policy Committee					
	Postponed Indefinitely				
31 SPONSORED BY: Rhodes					
DIGEST: amending Chapter 8-1/2 of the Code concerning cable television					
REFERRED TO: Administration and Finance Committee					
	Adopted	03/21/94	03/28/94	G.O. 37	158
32 SPONSORED BY: McClamroch					
DIGEST: reappointing James E. Sawyers to the Cable Franchise Board					
REFERRED TO: Administration and Finance Committee					
	Adopted	02/14/94	Not Req.	C.R. 13	62
33 SPONSORED BY: McClamroch					
DIGEST: reappointing Mary Alice (Dubbie) Buckler to the Information Services Agency Board					
REFERRED TO: Administration and Finance Committee					
	Adopted	02/14/94	Not Req.	C.R. 14	62
34 SPONSORED BY: McClamroch					
DIGEST: reappointing John von Arx to the Information Services Agency Board					
REFERRED TO: Administration and Finance Committee					
	Adopted	02/14/94	Not Req.	C.R. 15	63

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
35 SPONSORED BY: McClamroch DIGEST: reappointing Phillip Hinkle to the Marion County Board of Tax Adjustment REFERRED TO: Administration and Finance Committee	Adopted	02/14/94	Not Req.	C.R. 16	63
36 SPONSORED BY: McClamroch DIGEST: reappointing Mary Alice (Dubbie) Buckler to the Marion County Commission on Youth, Inc. REFERRED TO: Community Affairs Committee	Adopted	02/14/94	Not Req.	C.R. 17	63
37 SPONSORED BY: McClamroch DIGEST: reappointing J. Byron Jensen to the Marion County Commission on Youth, Inc. REFERRED TO: Community Affairs Committee	Adopted	02/14/94	Not Req.	C.R. 18	64
38 SPONSORED BY: McClamroch DIGEST: reappointing Jeffrey Roberts to the Marion County Commission on Youth REFERRED TO: Community Affairs Committee	Withdrawn				
39 SPONSORED BY: McClamroch DIGEST: reappointing Lelia Smith to the Marion County Commission on Youth, Inc. REFERRED TO: Community Affairs Committee	Adopted	03/21/94	Not Req.	C.R. 50	139
40 SPONSORED BY: McClamroch DIGEST: appointing David R. Shirley to the Marion County Commission on Youth, Inc. REFERRED TO: Community Affairs Committee	Adopted	02/14/94	Not Req.	C.R. 19	64
41 SPONSORED BY: McClamroch DIGEST: reappointing Mark DeFabis to the Indianapolis City-Market Corporation Board REFERRED TO: Metropolitan Development Committee	Adopted	02/14/94	Not Req.	C.R. 20	64
42 SPONSORED BY: McClamroch DIGEST: reappointing Sara Mitten Snyder to the Indianapolis City-Market Corporation Board REFERRED TO: Metropolitan Development Committee	Adopted	02/14/94	Not Req.	C.R. 21	65
43 SPONSORED BY: McClamroch DIGEST: reappointing Alan Retherford to the Metropolitan Board of Zoning Appeals Division I REFERRED TO: Metropolitan Development Committee	Adopted	02/14/94	Not Req.	C.R. 22	65



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
44 SPONSORED BY: McClamroch DIGEST: reappointing Joanna Walker to the Metropolitan Board of Zoning Appeals Division I REFERRED TO: Metropolitan Development Committee	Adopted	02/14/94	Not Req.	C.R. 23	65
45 SPONSORED BY: McClamroch DIGEST: reappointing Deborah Long to the Metropolitan Board of Zoning Appeals Division II REFERRED TO: Metropolitan Development Committee	Withdrawn				
46 SPONSORED BY: McClamroch DIGEST: reappointing Michael B. Murphy to the Metropolitan Board of Zoning Appeals Division II REFERRED TO: Metropolitan Development Committee	Adopted	02/14/94	Not Req.	C.R. 24	66
47 SPONSORED BY: McClamroch DIGEST: reappointing Mary Jane Klepek to the Metropolitan Board of Zoning Appeals Division III REFERRED TO: Metropolitan Development Committee	Adopted	02/14/94	Not Req.	C.R. 25	66
48 SPONSORED BY: McClamroch DIGEST: reappointing Ron Franklin to the Public Housing Advisory Council REFERRED TO: Metropolitan Development Committee	Adopted	02/14/94	Not Req.	C.R. 26	66
49 SPONSORED BY: McClamroch DIGEST: reappointing Michael McQuillen to the Public Housing Advisory Council REFERRED TO: Metropolitan Development Committee	Adopted	02/14/94	Not Req.	C.R. 27	66
50 SPONSORED BY: McClamroch DIGEST: reappointing Donald Palmer to the Urban Enterprise Association REFERRED TO: Metropolitan Development Committee	Adopted	02/14/94	Not Req.	C.R. 28	67
51 SPONSORED BY: McClamroch DIGEST: reappointing David Stirrsman to the Indianapolis Public Transportation Corporation Board REFERRED TO: Municipal Corporations Committee	Adopted	02/28/94	Not Req.	C.R. 44	93
52 SPONSORED BY: McClamroch DIGEST: reappointing J. Lloyd Grannan to the Animal Control Board REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	02/14/94	Not Req.	C.R. 29	67

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
53 SPONSORED BY: McClamroch DIGEST: reappointing William S. Gardiner to the Citizens Police Complaint Board REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	02/14/94	Not Req.	C.R. 30	67
54 SPONSORED BY: McClamroch DIGEST: reappointing William B. Powers to the Citizens Police Complaint Board REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	02/14/94	Not Req.	C.R. 31	68
55 SPONSORED BY: McClamroch DIGEST: reappointing Larna Spearman to the Citizens Police Complaint Board REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	02/28/94	Not Req.	C.R. 45	93
56 SPONSORED BY: McClamroch DIGEST: reappointing Melanie A. Schlegelmilch to the Juvenile Detention Center Advisory Board REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	02/14/94	Not Req.	C.R. 32	68
57 SPONSORED BY: McClamroch DIGEST: appointing Dennis Nicholas, M.D. to the Indianapolis-Marion County Forensic Board REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	02/14/94	Not Req.	C.R. 33	68
58 SPONSORED BY: McClamroch DIGEST: reappointing Rondle W. Brewer to the Marion County Community Corrections Advisory Board REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	02/14/94	Not Req.	C.R. 34	69
59 SPONSORED BY: McClamroch DIGEST: reappointing Susie Davie to the Marion County Community Corrections Advisory Board REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	02/14/94	Not Req.	C.R. 35	69
60 SPONSORED BY: McClamroch DIGEST: reappointing Cleon H. Foust to the Marion County Community Corrections Advisory Board REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	02/14/94	Not Req.	C.R. 36	69
61 SPONSORED BY: McClamroch DIGEST: reappointing Patricia M. Nickell to the Marion County Community Corrections Advisory Board REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	02/14/94	Not Req.	C.R. 37	70



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
62 SPONSORED BY: McClamroch DIGEST: reappointing Susan Brooks to the Marion County Community Corrections Advisory Board REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	02/28/94	Not Req.	C.R. 46	93
63 SPONSORED BY: McClamroch DIGEST: appointing Mary Stewart to the Marion County Community Corrections Advisory Board REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	02/14/94	Not Req.	C.R. 38	70
64 SPONSORED BY: West DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, 2131-2201 Dr. Andrew J. Brown Avenue (approximate address) REFERRED TO: Whole Committee	Adopted	01/31/94	Not Req.	R.O. 12	41
65 SPONSORED BY: West DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, St. Joseph Neighborhood (approximate address) REFERRED TO: Whole Committee	Adopted	01/31/94	Not Req.	R.O. 13	42
66 SPONSORED BY: West DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 5302 English Avenue (approximate address) REFERRED TO: Whole Committee	Adopted	01/31/94	Not Req.	R.O. 14	42
67 SPONSORED BY: West DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 5, 10702 East 56th Street (approximate address) REFERRED TO: Whole Committee	Adopted	01/31/94	Not Req.	R.O. 15	42
68 SPONSORED BY: West DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 555 North New Jersey Street (approximate address) REFERRED TO: Whole Committee	Adopted	01/31/94	Not Req.	R.O. 16	42
69 SPONSORED BY: McClamroch DIGEST: confirming the appointment of Robert G. Elrod as Acting Clerk of the Council REFERRED TO: Whole Committee	Adopted	01/31/94	Not Req.	C.R. 5	31
70 SPONSORED BY: McClamroch DIGEST: appointing Phillip Hinkle to the Audit Committee REFERRED TO: Administration and Finance Committee	Adopted	03/21/94	Not Req.	C.R. 51	139

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
71 SPONSORED BY: Rhodes DIGEST: appropriating \$652,500 for the Department of Administration, Administrative Services Division, to finance the Neighborhood Revitalization Initiative program funded by private foundation grants REFERRED TO: Administration and Finance Committee	Adopted	03/21/94	03/28/94	F.O. 4	155
72 SPONSORED BY: Rhodes DIGEST: amending the Revised Code by making certain changes in the regulation of limousines and taxicabs REFERRED TO: Economic Development Committee	Adopted	05/23/94	05/25/94	G.O. 76	393
73 SPONSORED BY: McClamroch DIGEST: appointing Ron Franklin to the Urban Enterprise Association REFERRED TO: Metropolitan Development Committee	Adopted	02/28/94	Not Req.	C.R. 47	94
74 SPONSORED BY: McClamroch DIGEST: appointing Leslie Duvall to the Marion County Community Corrections Advisory Board REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	02/28/94	Not Req.	C.R. 48	94
75 SPONSORED BY: Dowden DIGEST: transferring and appropriating \$104,000 for the County Sheriff to give retired merit deputies a 2% cost of living allowance REFERRED TO: Public Safety and Criminal Justice Committee	Postponed Indefinitely				
76 SPONSORED BY: Dowden DIGEST: transferring and appropriating \$104,000 for the County Sheriff to make additional jail payments from the Cumulative Capital Development Fund REFERRED TO: Public Safety and Criminal Justice Committee	Postponed Indefinitely				
77 SPONSORED BY: Smith DIGEST: amending the Code by authorizing intersection controls for Southern Lakes subdivision (District 23) REFERRED TO: Capital Asset Management Committee	Adopted	02/28/94	03/07/94	G.O. 20	113
78 SPONSORED BY: Ruhmkorff DIGEST: amending the Code by authorizing intersection controls for Hartman Farms subdivision (District 12) REFERRED TO: Capital Asset Management Committee	Adopted	02/28/94	03/07/94	G.O. 21	114



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
79 SPONSORED BY: Beadling					
DIGEST: amending the Code by authorizing intersection controls for Admirals Bay subdivision (District 5)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	02/28/94	03/07/94	G.O. 22	114
80 SPONSORED BY: Gray					
DIGEST: amending the Code by authorizing intersection controls for Oakforge Lakes subdivision (District 9)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	02/28/94	03/07/94	G.O. 23	115
81 SPONSORED BY: Gilmer					
DIGEST: amending the Code by authorizing intersection controls for the Chestnut Hills subdivision (District 1)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	02/28/94	03/07/94	G.O. 24	116
82 SPONSORED BY: Coughenour					
DIGEST: amending the Code by authorizing a multi-way stop at McFarland Boulevard and Poppyseed Drive (District 24)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	02/28/94	03/07/94	G.O. 25	116
83 SPONSORED BY: Dowden					
DIGEST: amending the Code by authorizing a multi-way stop at Cricklewood Road and 65th Place (District 4)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	02/28/94	03/07/94	G.O. 26	117
84 SPONSORED BY: Beadling					
DIGEST: amending the Code by authorizing a multi-way stop at Lee Road and 63rd Street (District 5)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	02/28/94	03/07/94	G.O. 27	117
85 SPONSORED BY: Dowden					
DIGEST: amending the Code by authorizing a multi-way stop at Avalon Lane, Hillcrest Country Club Road, and Hillcrest Lane (District 4)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	02/28/94	03/07/94	G.O. 28	118
86 SPONSORED BY: Rhodes					
DIGEST: amending the Code by authorizing a multi-way stop at Delaware Street and 55th Street (District 7)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	02/28/94	03/07/94	G.O. 29	118

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
87 SPONSORED BY: Smith					
DIGEST: amending the Code by authorizing a traffic signal for the Marsh Access Drive with Thompson Road approximately 1,200 feet east of Emerson Avenue (District 23)					
REFERRED TO: Capital Asset Management Committee					
	Postponed Indefinitely				
88 SPONSORED BY: Williams					
DIGEST: amending the Code by adding and deleting parking restrictions on 30th Street (Districts 8, 9, 10, 22)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	02/28/94	03/07/94	G.O. 30	119
89 SPONSORED BY: Williams					
DIGEST: amending the Code by adding and deleting parking restrictions at various downtown locations (Districts 16, 22)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	02/28/94	03/07/94	G.O. 31	121
90 SPONSORED BY: Coughenour					
DIGEST: amending the Code by changing the speed limit for segments of Southport Road (District 24)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	02/28/94	03/07/94	G.O. 32	127
91 SPONSORED BY: Brents					
DIGEST: amending the Code by authorizing a passenger and material loading zone for the Pan American Plaza (District 16)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	02/28/94	03/07/94	G.O. 33	128
92 SPONSORED BY: Boyd					
DIGEST: amending the Code by authorizing a weight limit restriction on segments of Fall Creek Parkway, North Drive (Districts 4, 11)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	02/28/94	03/07/94	G.O. 34	128
93 SPONSORED BY: Jones					
DIGEST: amending the Code by authorizing weight limit restrictions on Gale Street, Ewing Street, and Kealing Avenue between 10th Street and Brookside Parkway (District 10)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	02/28/94	03/07/94	G.O. 35	128
94 SPONSORED BY: Williams					
DIGEST: amending the Code by authorizing a weight limit restriction on Arsenal Avenue from 10th Street to 12th Street (District 22)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	02/28/94	03/07/94	G.O. 36	129



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
95 SPONSORED BY: Gilmer DIGEST: amending the Code by authorizing the director of the department of capital asset management to declare an emergency or special condition and cause traffic controls to be installed, erected and maintained REFERRED TO: Capital Asset Management Committee					
	Postponed Indefinitely				
96 SPONSORED BY: SerVaas, Boyd, McClamroch DIGEST: recognizing the services of Council Clerk Beverly S. Rippy REFERRED TO: Whole Committee					
	Adopted	02/14/94	02/22/94	S.R. 8	60
97 SPONSORED BY: West DIGEST: rezoning ordinance for Wayne Township, Councilmanic District #17, 4304 West Washington Street REFERRED TO: Whole Committee Committee					
	Adopted	02/14/94	Not Req.	R.O. 17	75
98 SPONSORED BY: West DIGEST: rezoning ordinance for Washington Township, Councilmanic District #6, 4174 and 4186 North Broadway Street (approximate address) REFERRED TO: Whole Committee Committee					
	Adopted	02/14/94	Not Req.	R.O. 18	75
99 SPONSORED BY: West DIGEST: rezoning ordinance for Wayne Township, Councilmanic District #19, 1440 South Vinewood Avenue (approximate address) REFERRED TO: Whole Committee Committee					
	Adopted	02/14/94	Not Req.	R.O. 19	75
100 SPONSORED BY: West DIGEST: rezoning ordinance for Warren Township, Councilmanic District #13, 50 South Munsie Street (approximate address) REFERRED TO: Whole Committee Committee					
	Adopted	02/14/94	Not Req.	R.O. 20	75
101 SPONSORED BY: West DIGEST: rezoning ordinance for Franklin Township, Councilmanic District #23, 4901 South Emerson Avenue (approximate address) REFERRED TO: Whole Committee Committee					
	Adopted	02/14/94	Not Req.	R.O. 21	75
102 SPONSORED BY: Borst DIGEST: amending Special Resolution No. 72, 1990, by extending the expiration date for Homeward Partners, Inc. through August 31, 1994 REFERRED TO: Economic Development Committee					
	Adopted	02/28/94	03/07/94	S.R. 12	97

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
103 SPONSORED BY: Borst					
DIGEST: amending Special Resolution No. 45, 1993, as amended by extending the expiration date for Brulin & Company, Inc. through August 31, 1994					
REFERRED TO: Economic Development Committee					
	Adopted	02/28/94	03/07/94	S.R. 13	98
104 SPONSORED BY: Borst					
DIGEST: approving the execution of document amendments relating to the previously-issued City of Indianapolis, Indiana Adjustable Rate Economic Development Revenue Bonds, Series 1991 (Cantor & Coleman II Project) and approving and authorizing other actions in respect thereto					
REFERRED TO: Economic Development Committee					
	Adopted	02/28/94	03/07/94	S.O. 1	99
105 SPONSORED BY: Borst					
DIGEST: an inducement resolution for Enterprise Housing Brookside, Inc. in a amount not to exceed \$1,500,000 for the acquisition and renovation of the existing 140 unit multifamily residential rental project known as Brookside Courts Apartments located at 1840 Perkins Avenue					
REFERRED TO: Economic Development Committee					
	Adopted	02/28/94	03/07/94	S.R. 14	100
106 SPONSORED BY: Borst					
DIGEST: amending and supplementing Special Ordinance No. 14, 1993, relating to the issuance of City of Indianapolis, Indiana Multifamily Housing Revenue Bonds (Sunrise Apartments Project located at 4514 Candletree Circle) Series A, B and C in the total aggregate principal amount not to exceed \$6,000,000					
REFERRED TO: Economic Development Committee					
	Adopted	02/28/94	03/07/94	S.O. 2	102
107 SPONSORED BY: Rhodes					
DIGEST: approving a salary administration plan for the City					
REFERRED TO: Administration and Finance Committee					
	Adopted	05/23/94	05/25/94	S.R. 46	427
108 SPONSORED BY: Rhodes					
DIGEST: approving a new salary schedule for bi-weekly civilian employees					
REFERRED TO: Administration and Finance Committee					
	Adopted	05/23/94	05/25/94	F.O. 40	427
109 SPONSORED BY: Rhodes					
DIGEST: approving a new salary schedule for bi-weekly employees of the Police Special Service District					
REFERRED TO: Administration and Finance Committee				P.S.S.D.	
	Adopted	05/23/94	05/27/94	F.O. 1	428



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
110 SPONSORED BY: Rhodes					
DIGEST: approving a new salary schedule for bi-weekly employees of the Fire Special Service District					
REFERRED TO: Administration and Finance Committee				F.S.S.D.	
	Adopted	05/23/94	05/27/94	F.O. 1	429
111 SPONSORED BY: Rhodes					
DIGEST: approving a new salary schedule for bi-weekly employees of the Solid Waste Collection Special Service District					
REFERRED TO: Administration and Finance Committee				S.W.C.S.S.D.	
	Adopted	05/23/94	05/27/94	F.O. 1	430
112 SPONSORED BY: Dowden					
DIGEST: transferring and appropriating \$2,073,000 for the Department of Public Safety, Police Division, to consolidate 1994 cumulative capital funds in Character 04 to purchase police patrol vehicles					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	03/21/94	03/28/94	F.O. 7	160
113 SPONSORED BY: Dowden					
DIGEST: appropriating \$66,000 for Metropolitan Emergency Communications Agency to fund shortfall in its 1994 budget caused by conversion from City to County payroll and to cover increase in data circuit charges					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	03/21/94	03/28/94	F.O. 5	156
114 SPONSORED BY: Dowden					
DIGEST: appropriating \$19,138 for the Court Administrator Agency to defray the cost of the second and last phase of the construction project of its new offices					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Stricken	03/21/94			157
115 SPONSORED BY: Borst					
DIGEST: appropriating \$30,000 for Forensic Services Agency to cover supplies and equipment to train an Arab police examiner in DNA analysis funded by Abu Dhabi and deposited in the County General Fund last year					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	03/21/94	03/28/94	F.O. 6	157
116 SPONSORED BY: Dowden					
DIGEST: amending the Code by updating the county corrections fund					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	03/21/94	03/28/94	G.O. 38	163
117 SPONSORED BY: Coughenour					
DIGEST: amending the Code dealing with the collection of grass					
REFERRED TO: Public Works Committee					
	Postponed Indefinitely				

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
118 SPONSORED BY: SerVaas					
DIGEST: amending the Code authorizing intersection controls for Windcombe subdivision (District 2)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	03/21/94	03/28/94	G.O. 39	164
119 SPONSORED BY: Coughenour					
DIGEST: amending the Code by authorizing intersection controls for Quail Creek subdivision (District 24)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	03/21/94	03/28/94	G.O. 40	165
120 SPONSORED BY: Gilmer					
DIGEST: amending the Code by authorizing intersection controls for Lakeside Woods subdivision (District 1)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	03/21/94	03/28/94	G.O. 41	166
121 SPONSORED BY: Beadling					
DIGEST: amending the Code by authorizing intersection controls for Admirals Sound subdivision (District 5)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	03/21/94	03/28/94	G.O. 42	166
122 SPONSORED BY: Gilmer, SerVaas					
DIGEST: amending the Code by authorizing intersection controls for the Brettonwood subdivision (Districts 1, 2)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	03/21/94	03/28/94	G.O. 43	167
123 SPONSORED BY: Gilmer					
DIGEST: amending the Code by authorizing intersection controls for Ashworth subdivision (District 1)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	03/21/94	03/28/94	G.O. 44	168
124 SPONSORED BY: Gilmer					
DIGEST: amending the Code by authorizing a multi-way stop at High School Road and 52nd Street (District 1)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	03/21/94	03/28/94	G.O. 45	169
125 SPONSORED BY: Gray					
DIGEST: amending the Code by authorizing a traffic signal at Moller Way and Pike Plaza Road (District 9)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	03/21/94	03/28/94	G.O. 46	169



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
126 SPONSORED BY: O'Dell, Ruhmkorff					
DIGEST: amending the Code by authorizing a multi-way stop at Cumberland Road, Muessing Street, and 10th Street (Districts 12, 13)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	03/21/94	03/28/94	G.O. 47	170
127 SPONSORED BY: Brents					
DIGEST: amending the Code by authorizing a loading zone on Indiana Avenue for Forest McGinnis Interiors, Inc. (District 16)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	03/21/94	03/28/94	G.O. 48	170
128 SPONSORED BY: Short					
DIGEST: recognizing hero Scott Thomas					
REFERRED TO: Whole Committee					
	Adopted	02/28/94	03/07/94	S.R. 9	89
129 SPONSORED BY: Coughenour					
DIGEST: welcoming Shirley Jones to Indianapolis					
REFERRED TO: Whole Committee					
	Adopted	02/28/94	03/07/94	S.R. 10	89
130 SPONSORED BY: West					
DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 4, 7990 Castleton Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	03/21/94	Not Req.	R.O. 37	143
131 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, 1602-1624 North New Jersey Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	02/28/94	Not Req.	R.O. 22	103
132 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 7791 Crawfordsville Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	02/28/94	Not Req.	R.O. 23	103
133 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 19, 1451 South Girls School Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	02/28/94	Not Req.	R.O. 24	103
134 SPONSORED BY: West					
DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 4, 7340 East 86th Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	02/28/94	Not Req.	R.O. 25	103

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
135 SPONSORED BY: Borst					
DIGEST: approving the issuance of City of Indianapolis, Indiana Tax- Exempt Adjustable Mode Economic Development Revenue Bonds (Herff Jones, Inc. Project) Series 1994 in an aggregate principal amount not to exceed \$4,100,000 (4500 West 62nd Street, District #9)					
REFERRED TO: Economic Development Committee					
	Adopted	03/21/94	03/28/94	S.O. 3	140
136 SPONSORED BY: Borst					
DIGEST: an inducement resolution for EPI Printers, Inc. in an amount not to exceed \$6,500,000 for the acquisition, construction and equipping of an approximately 33,500 square foot manufacturing facility to be used in EPI's printing business (7340 East 68th Street, District #4)					
REFERRED TO: Economic Development Committee					
	Adopted	03/21/94	03/28/94	S.R. 20	142
137 SPONSORED BY: Boyd					
DIGEST: authorizing the Mayor to submit an application to the Indiana Housing Finance Authority for HOME Investment Funding on behalf of the Center Township Trustee					
REFERRED TO: Administration and Finance Committee					
	Adopted	04/11/94	04/20/94	S.R. 26	199
138 SPONSORED BY: Dowden					
DIGEST: approving the leasing of farmland on Marion County Healthcare Center property by the Board of County Commissioners					
REFERRED TO: Administration and Finance Committee					
	Adopted	04/11/94	04/20/94	S.R. 27	200
139 SPONSORED BY: Ruhmkorff					
DIGEST: appropriating \$173,257 for the County Recorder to purchase additional terminals and upgrade computer system					
REFERRED TO: Metropolitan Development Committee					
	Adopted	04/25/94	Not Req.	F.O. 12	225
140 SPONSORED BY: O'Dell, Gray					
DIGEST: providing Council endorsement and support for the City's Youth Fair Chance Demonstration Project Proposal					
REFERRED TO: Community Affairs Committee					
	Adopted	05/23/94	05/24/94	S.R. 44	407
141 SPONSORED BY: West					
DIGEST: approving the Mayor's appointment of Daniel T. Kozlowski as Director of the Department of Metropolitan Development					
REFERRED TO: Metropolitan Development Committee					
	Adopted	04/11/94	Not Req.	C.R. 53	179
142 SPONSORED BY: McClamroch					
DIGEST: reappointing Phyllis Carr to the Urban Enterprise Association					
REFERRED TO: Metropolitan Development Committee					
	Adopted	04/25/94	Not Req.	C.R. 61	221



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
143 SPONSORED BY: Coughenour					
DIGEST: approving transfer of certain territory located at 4000 9th Avenue from the Consolidated City of Indianapolis to the City of Beech Grove					
REFERRED TO: Metropolitan Development Committee					
	Adopted	04/11/94	04/20/94	G.O. 49	191
144 SPONSORED BY: Shambaugh					
DIGEST: recodifying and amending the Code, Division 1, Article IV, Chapter 8, Buildings and Construction					
REFERRED TO: Metropolitan Development Committee					
	Adopted	08/08/94	08/12/94	G.O. 95	552
145 SPONSORED BY: Giffin					
DIGEST: approving the Mayor's appointment of Leon E. Younger as Director of the Department of Parks and Recreation					
REFERRED TO: Parks and Recreation Committee					
	Adopted	04/25/94	Not Req.	C.R. 62	221
146 SPONSORED BY: Dowden					
DIGEST: approving the Mayor's appointment of Michael E. Beaver as Director of the Department of Public Safety					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	04/11/94	Not Req.	C.R. 54	180
147 SPONSORED BY: McClamroch					
DIGEST: reappointing David W. Hamilton to the Marion County Public Defender Board					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	04/11/94	Not Req.	C.R. 55	180
148 SPONSORED BY: Moriarty Adams					
DIGEST: appropriating \$15,444 for the Presiding Judge of the Municipal Court to replace equipment taken through creation of the new Public Defender Agency					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	04/11/94	Not Req.	F.O. 8	194
149 SPONSORED BY: Dowden					
DIGEST: transferring and appropriating \$2,500 for the Superior Court, Criminal Division, Room Five, to cover 1994 maintenance agreement costs					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	04/11/94	Not Req.	F.O. 11	200
150 SPONSORED BY: Mullin					
DIGEST: appropriating \$24,000 for the Prosecuting Attorney to utilize a state grant to organize a series of anti-gang training workshops for law enforcement agencies sponsored by Project COURAGE					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	04/11/94	04/20/94	F.O. 9	195

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
151 SPONSORED BY: Mullin					
DIGEST: appropriating \$75,000 for the Prosecuting Attorney to conduct a comprehensive traffic safety program in Marion County funded by a state grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	04/11/94	04/20/94	F.O. 10	196
152 SPONSORED BY: Mullin					
DIGEST: appropriating \$24,500 for the Prosecuting Attorney to utilize a state grant to conduct a study to determine if racial disparity exists in the adult and juvenile criminal justice systems in Marion County					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Stricken	04/11/94			197
153 SPONSORED BY: Dowden					
DIGEST: appropriating \$98,296 for the Superior Court, Juvenile Division/ Detention Center, to pay the first year of a three year lease/ purchase arrangement with the Indiana Bond Bank for a computer upgrade					
REFERRED TO: Public Safety and Criminal Justice Committee					
	No Action Taken in 1994				
154 SPONSORED BY: Dowden					
DIGEST: appropriating \$24,091 for the Superior Court, Juvenile Division/Detention Center, to cover service charges on computers and to purchase one modem for the court					
REFERRED TO: Public Safety and Criminal Justice Committee					
	No Action Taken in 1994				
155 SPONSORED BY: Coughenour					
DIGEST: approving the Mayor's appointment of Michael B. Stayton as Director of the Department of Public Works					
REFERRED TO: Public Works Committee					
	Adopted	04/11/94	Not Req.	C.R. 56	181
156 SPONSORED BY: Coughenour					
DIGEST: approving an agreement between the City of Indianapolis and the Town of Speedway for sewage transportation and treatment services					
REFERRED TO: Public Works Committee					
	Adopted	04/11/94	04/20/94	S.O. 4	201
157 SPONSORED BY: Coughenour					
DIGEST: approving an agreement between the City of Indianapolis and the City of Beech Grove to authorize Indianapolis to review and grant stormwater permits and enforce drainage regulation within the City of Beech Grove					
REFERRED TO: Public Works Committee					
	Adopted	04/11/94	04/20/94	S.O. 5	204



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
158 SPONSORED BY: Curry					
DIGEST: approving the Mayor's appointment of Joseph E. Loftus as Deputy Mayor and Director of the Department of Administration					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	04/11/94	Not Req.	C.R. 57	181
159 SPONSORED BY: Curry					
DIGEST: approving the Mayor's appointment of Nancy Silvers as Deputy Mayor					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	04/11/94	Not Req.	C.R. 58	181
160 SPONSORED BY: Short, Dowden, Beadling					
DIGEST: amending the Code concerning smoking restrictions in local governmental buildings					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	04/11/94	04/20/94	G.O. 50	193
161 SPONSORED BY: SerVaas, Beadling, Borst, Coughenour, Curry, Franklin Gilmer, McClamroch, O'Dell, Rhodes, Smith					
DIGEST: amending the Revised Code to clarify responsibility and establish procedures for re-allocation and reconstruction of space in the City-County Building					
REFERRED TO: Rules and Public Policy Committee					
	No Action Taken in 1994				
162 SPONSORED BY: SerVaas, Beadling, Borst, Coughenour, Curry, Franklin, Gilmer, McClamroch, O'Dell, Rhodes, Smith					
DIGEST: designating the east and west wings of the City-County Building for court facilities and approving securing those wings from unauthorized access					
REFERRED TO: Rules and Public Policy Committee					
	No Action Taken in 1994				
163 SPONSORED BY: Gilmer					
DIGEST: approving the Mayor's appointment of Greg L. Henneke as Director of the Department of Capital Asset Management					
REFERRED TO: Capital Asset Management Committee					
	Adopted	04/11/94	Not Req.	C.R. 59	182
164 SPONSORED BY: Hinkle					
DIGEST: amending the Code by authorizing stop signs for Arbor Wood subdivision (District 18)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	04/11/94	04/20/94	G.O. 51	208
165 SPONSORED BY: Golc					
DIGEST: amending the Code by authorizing a multi-way stop at Raymond Street and Beulah Avenue (District 17)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	04/11/94	04/20/94	G.O. 52	209

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
166 SPONSORED BY: Williams DIGEST: amending the Code by authorizing a multi-way stop at Alabama Street and 19th Street (District 22) REFERRED TO: Capital Asset Management Committee	Adopted	04/11/94	04/20/94	G.O. 53	209
167 SPONSORED BY: Williams DIGEST: amending the Code by authorizing a multi-way stop at New Jersey Street and 19th Street (District 22) REFERRED TO: Capital Asset Management Committee	Adopted	04/11/94	04/20/94	G.O. 54	210
168 SPONSORED BY: Hinkle DIGEST: amending the Code by deleting a 35 mph speed limit for Tansel Road between Crawfordsville Road and Raceway Road (District 18) REFERRED TO: Capital Asset Management Committee	Adopted	04/11/94	04/20/94	G.O. 55	210
169 SPONSORED BY: Gilmer, Brents DIGEST: amending the Code by authorizing a change in parking restrictions for Monument Circle and its Meridian Street and Market Street spokes (District 16) REFERRED TO: Capital Asset Management Committee	Postponed Indefinitely				
170 SPONSORED BY: Williams DIGEST: amending the Code by changing the parking restrictions on segments of New York Street (District 22) REFERRED TO: Capital Asset Management Committee	Adopted	04/11/94	04/20/94	G.O. 56	211
171 SPONSORED BY: McClamroch DIGEST: appointing Glenda Smith to the Community Centers of Indianapolis Board REFERRED TO: Community Affairs Committee	Adopted	04/25/94	Not Req.	C.R. 63	221
172 SPONSORED BY: SerVaas DIGEST: recognizing "Buffalo Soldier" John Morton-Finney REFERRED TO: Whole Committee	Adopted	03/21/94	03/28/94	S.R. 15	135
173 SPONSORED BY: Williams DIGEST: congratulating the Arsenal Technical High School Constitution team REFERRED TO: Whole Committee	Adopted	03/21/94	03/28/94	S.R. 16	135
174 SPONSORED BY: Franklin DIGEST: recognizing Dorothea Green REFERRED TO: Whole Committee	Adopted	03/21/94	03/28/94	S.R. 17	136



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
175 SPONSORED BY: Franklin DIGEST: recognizing Isaac Randolph, Jr. REFERRED TO: Whole Committee	Adopted	03/21/94	03/28/94	S.R. 18	137
176 SPONSORED BY: Beadling, Black, Borst, Boyd, Curry, Dowden, Hinkle, Rhodes DIGEST: recognizing the 75th anniversary of the American Legion REFERRED TO: Whole Committee	Adopted	03/21/94	03/28/94	S.R. 19	138
177 SPONSORED BY: McClamroch DIGEST: reappointing Larry J. Barrett to the Beech Grove Economic Development Commission REFERRED TO: Economic Development Committee	Adopted	07/11/94	Not Req.	C.R. 71	512
178 SPONSORED BY: McClamroch DIGEST: appointing Charlotte MacBeth to the Juvenile Detention Center Advisory Board REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	04/11/94	Not Req.	C.R. 60	182
179 SPONSORED BY: McClamroch DIGEST: appointing Ann Curry to the Animal Control Board REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	04/11/94	Not Req.	C.R. 52	183
180 SPONSORED BY: West DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, 1201 North Delaware Street (approximate address) REFERRED TO: Whole Committee	Adopted	03/21/94	Not Req.	R.O. 26	151
181 SPONSORED BY: West DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 4, 7502 North Shadeland Avenue (approximate address) REFERRED TO: Whole Committee	Adopted	03/21/94	Not Req.	R.O. 27	151
182 SPONSORED BY: West DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, 502 North College Avenue (approximate address) REFERRED TO: Whole Committee	Adopted	03/21/94	Not Req.	R.O. 28	151
183 SPONSORED BY: West DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, 640-644 East 10th Street (approximate address) REFERRED TO: Whole Committee	Adopted	03/21/94	Not Req.	R.O. 29	151

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
184 SPONSORED BY: West DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 5, 10603 Pendleton Pike (approximate address) REFERRED TO: Whole Committee	Adopted	03/21/94	Not Req.	R.O. 30	151
185 SPONSORED BY: West DIGEST: rezoning ordinance for Perry Township, Councilmanic District 20, 7418-7420 Madison Avenue (approximate address) REFERRED TO: Whole Committee	Adopted	03/21/94	Not Req.	R.O. 31	152
186 SPONSORED BY: West DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 3977 West 10th Street (approximate address) REFERRED TO: Whole Committee	Adopted	03/21/94	Not Req.	R.O. 32	152
187 SPONSORED BY: West DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 3977 West 10th Street (approximate address) REFERRED TO: Whole Committee	Adopted	03/21/94	Not Req.	R.O. 33	152
188 SPONSORED BY: West DIGEST: rezoning ordinance for Center Township, Councilmanic District 15, 12 North Rural Street (approximate address) REFERRED TO: Whole Committee	Adopted	03/21/94	Not Req.	R.O. 34	152
189 SPONSORED BY: West DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 2236 & 2240 W. Howard Street (approximate address) REFERRED TO: Whole Committee	Adopted	03/21/94	Not Req.	R.O. 35	152
190 SPONSORED BY: West DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 2201 & 2205 W. Howard Street (approximate address) REFERRED TO: Whole Committee	Adopted	03/21/94	Not Req.	R.O. 36	152
191 SPONSORED BY: West DIGEST: rezoning ordinance for Washington Township, Councilmanic District 7, 6219 Guilford Avenue (approximate address) REFERRED TO: Whole Committee	Adopted	04/11/94	Not Req.	R.O. 38	179



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
192 SPONSORED BY: Shambaugh DIGEST: affirming Council support for the Capital Improvements Board to proceed with a new downtown baseball stadium REFERRED TO: Municipal Corporations Committee	Adopted	04/11/94	04/20/94	S.R. 25	190
193 SPONSORED BY: Rhodes DIGEST: amending the Code concerning payment of accrued compensatory time REFERRED TO: Administration and Finance Committee	Adopted	05/23/94	05/25/94	G.O. 77	408
194 SPONSORED BY: McClamroch DIGEST: repealing the Central Business District, Special Development District Ordinance and amending the Central Business District Zoning Ordinance by adding the language of the repealed ordinance REFERRED TO: Metropolitan Development Committee	Adopted	04/25/94	Not Req.	G.O. 57	244
195 SPONSORED BY: McClamroch DIGEST: combining the Airport Special Use Zoning Ordinance and the Airspace District Zoning Ordinance to create the Airport Zoning Ordinance REFERRED TO: Metropolitan Development Committee	Adopted	04/25/94	Not Req.	G.O. 58	263
196 SPONSORED BY: McClamroch DIGEST: combining the Park Districts Zoning Ordinance, the Hospital Districts Zoning Ordinance, and the University Quarter Zoning Ordinance to create the Special Districts Zoning Ordinance REFERRED TO: Metropolitan Development Committee	Adopted	04/25/94	Not Req.	G.O. 59	268
197 SPONSORED BY: McClamroch DIGEST: amending the Special Use Districts Zoning Ordinance by repealing twenty unused or redundant Special Use Districts and providing development standard guidelines for administrative approval for the remaining districts REFERRED TO: Metropolitan Development Committee	Adopted	04/25/94	Not Req.	G.O. 60	284
198 SPONSORED BY: McClamroch DIGEST: repealing the Regional Center-Market Square Development District (RC-M) Ordinance and rezoning land within the former RC-M District to the Central Business Districts-1 and -2 (CBD-1 and CBD-2) classifications REFERRED TO: Metropolitan Development Committee	Adopted	04/25/94	Not Req.	G.O. 61	294
199 SPONSORED BY: West DIGEST: approving the disbursement of \$60,000 of the Community Development Block Grant funds REFERRED TO: Metropolitan Development Committee	Adopted	04/25/94	04/29/94	S.R. 34	296

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
200 SPONSORED BY: O'Dell					
DIGEST: appropriating \$3,850,509 for the Marion County Office of Family and Children to pay the expenses of wards in institutions					
REFERRED TO: Community Affairs Committee					
	Adopted	05/23/94	Not Req.	F.O. 36	382
201 SPONSORED BY: O'Dell					
DIGEST: appropriating \$190,000 for the Department of Parks and Recreation, Natural Resources Division, to cover the charges to repair roofs on thirteen buildings at several park locations					
REFERRED TO: Parks and Recreation Committee					
	Adopted	04/25/94	04/29/94	F.O. 13	230
202 SPONSORED BY: Dowden					
DIGEST: transferring and appropriating \$400 for the Superior Court, Title IV-D Court, to purchase an IRMA Board to install in a personal computer in the office					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	04/25/94	Not Req.	F.O. 33	297
203 SPONSORED BY: Coughenour					
DIGEST: approving reductions in proposed expenditures since the adoption of the 1994 City-County Annual Budget for the Department of Public Works, Wastewater Management Division, in the amount of \$1,092,579					
REFERRED TO: Public Works and Capital Asset Management Committees					
	Adopted	04/25/94	04/29/94	F.O. 15	233
204 SPONSORED BY: Coughenour					
DIGEST: transferring and appropriating \$109,541 for the Department of Public Works (DPW), Wastewater Management Division, to cover certain administrative staff positions, supplies and contractual services from DPW, Maintenance Operations Division					
REFERRED TO: Public Works and Capital Asset Management Committees					
	Adopted	04/25/94	04/29/94	F.O. 16	233
205 SPONSORED BY: Coughenour					
DIGEST: appropriating \$192,932 for the Department of Public Works, Maintenance Operations Division, to cover sewer maintenance supplies budgeted in 1993 but not utilized due to year-end closing					
REFERRED TO: Public Works and Capital Asset Management Committees					
	Adopted	04/25/94	04/29/94	F.O. 17	234
206 SPONSORED BY: Coughenour					
DIGEST: appropriating \$53,792 for the Department of Public Works, Maintenance Operations Division, to reflect funds not transferred to the Opportunity Fund during the 1994 budget hearing process					
REFERRED TO: Public Works and Capital Asset Management Committees					
	Adopted	04/25/94	04/29/94	F.O. 18	235



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
207 SPONSORED BY: Coughenour					
DIGEST: appropriating \$1,000 for the Department of Public Works, Maintenance Operations Division, to restore a portion of Maintenance Operations General Fund not transferred to Opportunity Fund during 1994 budget hearing process					
REFERRED TO: Public Works and Capital Asset Management Committees					
	Adopted	04/25/94	04/29/94	F.O. 19	235
208 SPONSORED BY: Coughenour					
DIGEST: appropriating \$79,950 for the Department of Public Works, Maintenance Operations Division, to reflect funds not transferred to the Opportunity Fund during 1994 budget hearing process					
REFERRED TO: Public Works and Capital Asset Management Committees					
	Adopted	04/25/94	04/29/94	F.O. 20	236
209 SPONSORED BY: Coughenour					
DIGEST: transferring and appropriating \$40,000 for the Department of Public Works, Environmental Resources Management Division, to pay its portion of administrative overhead					
REFERRED TO: Public Works and Capital Asset Management Committees					
	Adopted	04/25/94	04/29/94	F.O. 21	236
210 SPONSORED BY: Coughenour					
DIGEST: transferring and appropriating \$92,075 for the Department of Public Works, Environmental Resources Management Division, to provide for additional contractual support for environmental sampling and effluent monitoring					
REFERRED TO: Public Works and Capital Asset Management Committees					
	Adopted	04/25/94	04/29/94	F.O. 22	237
211 SPONSORED BY: Coughenour					
DIGEST: transferring and appropriating \$4,277,471 for the Department of Public Works, Wastewater Management Division, and reducing appropriations by \$14,443,571 for that division to reflect in its budget the White River Environmental Partnership contract management of the Advanced Wastewater Treatment plants					
REFERRED TO: Public Works and Capital Asset Management Committees					
	Adopted	04/25/94	04/29/94	F.O. 23	238
212 SPONSORED BY: Gilmer					
DIGEST: approving reductions in proposed expenditures since the adoption of the 1994 City-County Annual Budget for the Department of Public Works, Solid Waste Management Division, in the amount of \$1,555,000					
REFERRED TO: Public Works and Capital Asset Management Committees					
	Adopted	04/25/94	04/29/94	F.O. 24	239

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
213 SPONSORED BY: Gilmer					
DIGEST: approving reductions in proposed expenditures since the adoption of the 1994 City-County Annual Budget for the Department of Public Works, Solid Waste Management Division, in the amount of \$1,136,055					
REFERRED TO: Public Works and Capital Asset Management Committees					
	Adopted	04/25/94	04/29/94	F.O. 25	240
214 SPONSORED BY: Coughenour					
DIGEST: amending the Code concerning environmental public nuisances					
REFERRED TO: Public Works Committee					
	Postponed Indefinitely				
215 SPONSORED BY: Dowden					
DIGEST: appropriating \$1,587,374 for the Department of Public Safety, Police Division, to complete its capital projects					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	04/25/94	04/29/94	F.O. 14	231
216 SPONSORED BY: Gilmer					
DIGEST: transferring and appropriating \$200,000 for the Department of Capital Asset Management, Asset Management Division, to provide for greater contractual sewer maintenance					
REFERRED TO: Public Works and Capital Asset Management Committees					
	Adopted	04/25/94	04/29/94	F.O. 26	240
217 SPONSORED BY: Gilmer					
DIGEST: appropriating \$7,000,000 for the Department of Capital Asset Management, Asset Management Division, to provide for capital improvements to Advanced Wastewater Treatment plants and for sewer and drainage improvements to support the Capital Improvement Program					
REFERRED TO: Public Works and Capital Asset Management Committees					
	Adopted	04/25/94	04/29/94	F.O. 27	241
218 SPONSORED BY: Gilmer					
DIGEST: appropriating \$1,092,579 for the Department of Capital Asset Management, Asset Management Division, to reflect in its budget the Sewer Wastewater Management Facilities Engineering operating budget and \$250,000 for emergency sewer repair					
REFERRED TO: Public Works and Capital Asset Management Committees					
	Adopted	04/25/94	04/29/94	F.O. 28	241
219 SPONSORED BY: Gilmer					
DIGEST: approving reductions in proposed expenditures from the Flood Control General Fund for the Department of Capital Asset Management, Asset Management Division, in the amount of \$1,000					
REFERRED TO: Public Works and Capital Asset Management Committees					
	Adopted	04/25/94	04/29/94	F.O. 29	242



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
220 SPONSORED BY: Gilmer					
DIGEST: approving reductions in proposed expenditures from the Transportation General Fund for the Department of Capital Asset Management, Asset Management Division, in the amount of \$53,792					
REFERRED TO: Public Works and Capital Asset Management Committees					
	Adopted	04/25/94	04/29/94	F.O. 30	242
221 SPONSORED BY: Gilmer					
DIGEST: approving reductions in proposed expenditures from the Sanitation General Fund for the Department of Capital Asset Management, Asset Management Division, in the amount of \$79,950					
REFERRED TO: Public Works and Capital Asset Management Committees					
	Adopted	04/25/94	04/29/94	F.O. 31	243
222 SPONSORED BY: Gilmer					
DIGEST: appropriating \$1,555,000 for the Department of Capital Asset Management, Asset Management Division, to establish a lagoon cleaning project					
REFERRED TO: Public Works and Capital Asset Management Committees					
	Adopted	04/25/94	04/29/94	F.O. 32	243
223 SPONSORED BY: Gilmer					
DIGEST: amending the Code concerning handicapped parking					
REFERRED TO: Capital Asset Management Committee					
	Withdrawn				
224 SPONSORED BY: Ruhmkorff, O'Dell					
DIGEST: recognizing mathematics-talented student Melanie Wood					
REFERRED TO: Whole Committee					
	Adopted	04/11/94	04/20/94	S.R. 21	176
225 SPONSORED BY: Golc					
DIGEST: recognizing Cathedral Coach Joseph F. Dezelan					
REFERRED TO: Whole Committee					
	Adopted	04/11/94	04/20/94	S.R. 22	176
226 SPONSORED BY: Coughenour					
DIGEST: recognizing the award-winning Belmont AWT engineering project					
REFERRED TO: Whole Committee					
	Adopted	04/11/94	04/20/94	S.R. 23	177
227 SPONSORED BY: Curry					
DIGEST: recognizing the Indy Miata Chapter of the Miata Club of America					
REFERRED TO: Whole Committee					
	Adopted	04/11/94	04/20/94	S.R. 24	178
228 SPONSORED BY: McClamroch					
DIGEST: appointing Glenda Smith to the Community Centers of Indianapolis Board					
REFERRED TO: Community Affairs Committee					
	Withdrawn				

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
229 SPONSORED BY: McClamroch DIGEST: appointing Robert A. Stewart to the Metropolitan Board of Zoning Appeals Division III REFERRED TO: Metropolitan Development Committee	Adopted	04/25/94	Not Req.	C.R. 64	222
230 SPONSORED BY: McClamroch DIGEST: appointing Lacy M. Johnson to the Juvenile Detention Center Advisory Board REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	05/23/94	Not Req.	C.R. 66	377
231 SPONSORED BY: West DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, 302 East Fall Creek Parkway North Drive, 2801-2833 Washington Boulevard, 2802-2810 North New Jersey Street and 318-408 East 28th Street (approximate address) REFERRED TO: Whole Committee	Adopted	04/11/94	Not Req.	R.O. 39	187
232 SPONSORED BY: West DIGEST: rezoning ordinance for Center Township, Councilmanic District 17, 1702 West Miller Street (approximate address) REFERRED TO: Whole Committee	Adopted	04/11/94	Not Req.	R.O. 40	188
233 SPONSORED BY: West DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 1002 West 25th Street (approximate address) REFERRED TO: Whole Committee	Adopted	04/11/94	Not Req.	R.O. 41	188
234 SPONSORED BY: West DIGEST: rezoning ordinance for Franklin Township, Councilmanic District 23, 5127, 529 and 5133 Elenor Street (approximate address) REFERRED TO: Whole Committee	Adopted	04/11/94	Not Req.	R.O. 42	188
235 SPONSORED BY: West DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 19, 7101 West Morris Street (approximate address) REFERRED TO: Whole Committee	Adopted	04/11/94	Not Req.	R.O. 43	188
236 SPONSORED BY: Borst DIGEST: authorizing one or more series of economic development revenue bonds in a total aggregate principal amount not to exceed \$1,465,000 for Enterprise Housing - Brookside, Inc. located at 1840 Perkins Avenue (District 21) REFERRED TO: Economic Development Committee	Adopted	04/25/94	04/29/94	S.O. 6	226



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
237 SPONSORED BY: Rhodes					
DIGEST: appropriating \$137,209 for the Information Services Agency to consolidate City-County government data circuit management under its administration					
REFERRED TO: Administration and Finance Committee					
	Adopted	05/09/94	05/12/94	F.O. 34	307
238 SPONSORED BY: Rhodes					
DIGEST: authorizing the execution of an amendment to the City-County Building lease between the Building Authority, the City, and the County					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	05/09/94	05/12/94	S.R. 38	361
239 SPONSORED BY: O'Dell, Rhodes					
DIGEST: amending the Revised Code concerning the Office of Youth and Family Services and the Department of Administration					
REFERRED TO: Administration and Finance Committee					
	Adopted	05/09/94	05/12/94	G.O. 63	362
240 SPONSORED BY: Rhodes					
DIGEST: amending the council rules concerning proposals for fiscal ordinances					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	06/13/94	06/15/94	G.O. 82	457
241 SPONSORED BY: Giffin					
DIGEST: establishing the Parks Project Revenue Fund as a non-reverting operating fund					
REFERRED TO: Parks and Recreation Committee					
	Adopted	05/09/94	05/12/94	G.O. 62	308
242 SPONSORED BY: Giffin					
DIGEST: authorizing the issuance and sale of bonds of the City for the purpose of procuring funds to pay for the construction, reconstruction and repair of certain park facilities and appropriating an amount not to exceed \$6,700,000					
REFERRED TO: Parks and Recreation Committee					
	Adopted	05/09/94	05/12/94	S.O. 7	310
243 SPONSORED BY: Dowden					
DIGEST: appropriating \$645,000 for the Sheriff to cover food expense for the jail inmates through the end of the year and to pay for inmate housing at the Riverside Community Corrections facility					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	11/14/94	Not Req.	F.O. 98	941
244 SPONSORED BY: Dowden					
DIGEST: appropriating \$8,903 for the Superior Court, Civil Division, Room Four, to pay the National Center for State Courts for a management review of the Family Law Courts in Marion County					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	05/09/94	05/12/94	F.O. 35	359

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
245 SPONSORED BY: Dowden					
DIGEST: appropriating \$58,971 for Community Corrections to provide additional security to supervise an increased number of inmates being housed in the Community Corrections Center					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Stricken	10/17/94			870
246 SPONSORED BY: Borst					
DIGEST: transferring and appropriating \$197,600 for the Court Administrator Agency to purchase up to 38 walk-through metal detectors and up to 38 hand wands for use by those courts and agencies that desire more security					
REFERRED TO: Rules and Public Policy Committee					
	No Action Taken in 1994				
247 SPONSORED BY: Shambaugh					
DIGEST: amending the Code to include parking restrictions for Race Day of the Brickyard 400 (District 8)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	05/09/94	05/12/94	G.O. 64	364
248 SPONSORED BY: Gilmer					
DIGEST: amending the Code by authorizing a traffic signal at Zionsville Road and 74th Street (District 1)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	05/09/94	05/12/94	G.O. 65	364
249 SPONSORED BY: Gilmer					
DIGEST: amending the Code by authorizing a multi-way stop at Lafayette Road and 86th Street (District 1)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	05/09/94	05/12/94	G.O. 66	364
250 SPONSORED BY: Black					
DIGEST: amending the Code by authorizing a multi-way stop at Evanston Avenue and 51st Street (District 6)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	05/09/94	05/12/94	G.O. 67	365
251 SPONSORED BY: Borst					
DIGEST: amending the Code by authorizing a multi-way stop at Edgewood Avenue and Harding Street (District 25)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	05/09/94	05/12/94	G.O. 68	365
252 SPONSORED BY: Giffin					
DIGEST: amending the Code by authorizing a multi-way stop at Mills Road and Mooresville Road (District 19)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	05/09/94	05/12/94	G.O. 69	366



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
253 SPONSORED BY: Brents					
DIGEST: amending the Code by authorizing a multi-way stop at California Street and Vermont Street (District 16)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	05/09/94	05/12/94	G.O. 70	366
254 SPONSORED BY: Hinkle					
DIGEST: amending the Code by changing the speed limit for Westwood subdivision (District 18)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	05/09/94	05/12/94	G.O. 71	367
255 SPONSORED BY: Mullin					
DIGEST: amending the Code by changing the speed limit on a segment of Hanna Avenue (District 20)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	05/09/94	05/12/94	G.O. 72	367
256 SPONSORED BY: Schneider					
DIGEST: amending the Code by changing the speed limit on a segment of Harcourt Road (District 3)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	05/09/94	05/12/94	G.O. 73	368
257 SPONSORED BY: Moriarty Adams					
DIGEST: amending the Code by authorizing a one-way restriction for Woodland Drive from Ohio Street to Washington Street (District 15)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	05/09/94	05/12/94	G.O. 74	368
258 SPONSORED BY: Gilmer					
DIGEST: amending the Code by authorizing a weight limit restriction on 79th Street from Zionsville Road to Moore Road (District 1)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	05/09/94	05/12/94	G.O. 75	369
259 SPONSORED BY: Borst, Coughenour, Mullin					
DIGEST: recognizing Southport High School's 100th Anniversary					
REFERRED TO: Whole Committee					
	Adopted	04/25/95	04/29/94	S.R. 28	216
260 SPONSORED BY: Golc, Borst					
DIGEST: recognizing IPS science teacher Kevin C. Koers					
REFERRED TO: Whole Committee					
	Adopted	04/25/94	04/29/94	S.R. 29	216
261 SPONSORED BY: Golc					
DIGEST: recognizing Harvey Knox, the "Mayor of Stringtown"					
REFERRED TO: Whole Committee					
	Adopted	04/25/94	04/29/94	S.R. 30	217

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
262 SPONSORED BY: Beadling, Jones DIGEST: recognizing television reporter Barbara Boyd REFERRED TO: Whole Committee	Adopted	04/25/94	04/29/94	S.R. 31	218
263 SPONSORED BY: Beadling, Jones DIGEST: recognizing television news anchor Howard Caldwell REFERRED TO: Whole Committee	Adopted	04/25/94	04/29/94	S.R. 32	219
264 SPONSORED BY: Coughenour, Rhodes, Williams DIGEST: concerning federal anti-crime legislation REFERRED TO: Whole Committee	Adopted	04/25/94	04/29/94	S.R. 33	220
265 SPONSORED BY: McClamroch DIGEST: appointing Suellen Hart as Clerk of the Council REFERRED TO: Rules and Public Policy Committee	Adopted	05/09/94	Not Req.	C.R. 65	305
266 SPONSORED BY: West DIGEST: amending the Code to clarify that an off-track betting facility is a permitted use in the C-4, C-5 and C-7 Commercial Zoning Districts and to add an off-track betting facility as a permitted use in the C-6 Commercial District REFERRED TO: Metropolitan Development Committee	Adopted	07/11/94	Not Req.	G.O. 92	492
267 SPONSORED BY: West DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 4, 7005 Sargent Road (approximate address) REFERRED TO: Whole Committee	Adopted	04/25/94	Not Req.	R.O. 44	228
268 SPONSORED BY: West DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 5401 Southeastern Avenue (approximate address) REFERRED TO: Whole Committee	Adopted	04/25/94	Not Req.	R.O. 45	229
269 SPONSORED BY: West DIGEST: rezoning ordinance for Pike Township, Councilmanic District 1, 5933 Lafayette Road (approximate address) REFERRED TO: Whole Committee	Adopted	04/25/94	Not Req.	R.O. 46	229
270 SPONSORED BY: West DIGEST: rezoning ordinance for Warren Township, Councilmanic District 12, 7604 East 10th Street (approximate address) REFERRED TO: Whole Committee	Adopted	04/25/94	Not Req.	R.O. 47	229



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
271 SPONSORED BY: West DIGEST: rezoning ordinance for Pike Township, Councilmanic District 1, 7108 Coffman Road (approximate address) REFERRED TO: Whole Committee	Adopted	04/25/94	Not Req.	R.O. 48	229
272 SPONSORED BY: West DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 4152 West Washington Street (approximate address) REFERRED TO: Whole Committee	Adopted	04/25/94	Not Req.	R.O. 49	229
273 SPONSORED BY: West DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 4, 8131 Craig Street (approximate address) REFERRED TO: Whole Committee	Adopted	04/25/94	Not Req.	R.O. 50	229
274 SPONSORED BY: West DIGEST: rezoning ordinance for Perry Township, Councilmanic District 20, 7151 South Madison Avenue (approximate address) REFERRED TO: Whole Committee	Adopted	04/25/94	Not Req.	R.O. 51	229
275 SPONSORED BY: Rhodes DIGEST: approving a public purpose grant in the amount of \$65,000 to Indiana University for the purpose of financing educational access cable television programming for Marion County REFERRED TO: Administration and Finance Committee	Adopted	05/23/94	05/25/94	S.R. 45	409
276 SPONSORED BY: Rhodes DIGEST: appropriating \$199,600 in the County General Fund for the County Coroner to contract with University Clinical Pathology Associates to perform forensic pathology services, to include toxicology and histology work at their facilities REFERRED TO: Administration and Finance Committee	Adopted	07/11/94	07/14/94	F.O. 55	511
277 SPONSORED BY: McClamroch DIGEST: amending the Revised Code concerning the Marion County Information Services Board REFERRED TO: Administration and Finance Committee	Adopted	05/23/94	05/25/94	G.O. 78	410
278 SPONSORED BY: Rhodes DIGEST: correcting the codification errors REFERRED TO: Administration and Finance Committee	Withdrawn				

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
279 SPONSORED BY: West					
DIGEST: approving the Public Housing Division's plan to replace 81 units of public housing					
REFERRED TO: Metropolitan Development Committee					
	Stricken	05/23/94			411
280 SPONSORED BY: Dowden					
DIGEST: appropriating \$73,650 for the Superior Court, Criminal Division, Probation Department, to utilize a federal grant to computerize the department					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	05/23/94	05/27/94	F.O. 37	383
281 SPONSORED BY: Dowden					
DIGEST: appropriating \$24,550 for the Superior Court, Criminal Division, Probation Department, to provide the 25% matching funds necessary for the federal grant awarded to the department to be used solely for computerization					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	05/23/94	05/25/94	F.O. 38	384
282 SPONSORED BY: Dowden					
DIGEST: appropriating \$114,000 for the County Auditor to cover costs associated with preparing the Marion County Hazardous Materials Response Plan and providing the community with the Right-to-Know information					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	05/23/94	Not Req.	F.O. 39	385
283 SPONSORED BY: Giffin, Golc, Short					
DIGEST: amending the Code by authorizing a change in speed limits for segments of Raymond Street and Airport Expressway (Districts 17, 19, 21)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	08/08/94	08/12/94	G.O. 96	589
284 SPONSORED BY: Williams					
DIGEST: amending the Code by deleting one-way traffic flow on Pennsylvania Street between 30th Street and 28th Street; removing traffic signals at Pennsylvania Street and 30th Street and Pennsylvania Street and 29th Street; and authorizing no parking on Pennsylvania Street on the east side from 28th Street to 29th Street (District 22)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	05/23/94	05/25/94	G.O. 79	412
285 SPONSORED BY: Gray					
DIGEST: recognizing the 1994 Police and Fire Sports Festival in Indianapolis					
REFERRED TO: Whole Committee					
	Adopted	05/09/94	05/12/94	S.R. 35	302



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
286 SPONSORED BY: McClamroch DIGEST: recognizing Astronaut Dr. David A. Wolf REFERRED TO: Whole Committee	Adopted	05/09/94	05/12/94	S.R. 36	303
287 SPONSORED BY: Coughenour DIGEST: concerning the former Tennessee Street REFERRED TO: Whole Committee	Adopted	05/09/94	05/12/94	S.R. 37	303
288 SPONSORED BY: West DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 5, 11875 Pendleton Pike (approximate address) REFERRED TO: Whole Committee	Adopted	05/09/94	Not Req.	R.O. 52	306
289 SPONSORED BY: West DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 16, 1626 Kessler Boulevard North Drive (approximate address) REFERRED TO: Whole Committee	Adopted	05/09/94	Not Req.	R.O. 53	306
290 SPONSORED BY: West DIGEST: rezoning ordinance for Washington Township, Councilmanic District 7, 599 West Westfield Boulevard (approximate address) REFERRED TO: Whole Committee	Adopted	05/09/94	Not Req.	R.O. 54	306
291 SPONSORED BY: West DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 5, 7902 North County Line Road (approximate address) REFERRED TO: Whole Committee	Adopted	05/09/94	Not Req.	R.O. 55	306
292 SPONSORED BY: West DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 7982 South Meridian Street (approximate address) REFERRED TO: Whole Committee	Adopted	05/09/94	Not Req.	R.O. 56	306
293 SPONSORED BY: West DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 5817 South Keystone Avenue (approximate address) REFERRED TO: Whole Committee	Adopted	05/09/94	Not Req.	R.O. 57	306
294 SPONSORED BY: West DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 6450 West Hanna Avenue (approximate address) REFERRED TO: Whole Committee	Adopted	05/09/94	Not Req.	R.O. 58	307

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
295 SPONSORED BY: West					
DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 4402 9th Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	05/09/94	Not Req.	R.O. 59	307
296 SPONSORED BY: McClamroch					
DIGEST: appointing John A. Borgerding as Chief Financial Officer to the Council					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	07/11/94	Not Req.	C.R. 72	512
297 SPONSORED BY: Borst					
DIGEST: approving the issuance of (i) City of Indianapolis, Indiana, Health Care Facilities Revenue Refunding Bonds (FHA Insured Mortgage--Regency Place of Castleton) Health Quest Realty XXI Issue Series 1994A in an amount not to exceed \$4,500,000, and (ii) City of Indianapolis, Indiana, Health Care Facilities Taxable Revenue Bonds (FHA Insured Mortgage--Regency Place of Castleton) Health Quest Realty XXI Issue Series 1994B in an amount not to exceed \$400,000 to finance a skilled nursing home facility located at 5226 East 82nd Street					
REFERRED TO: Economic Development Committee					
	Adopted	05/23/94	05/25/94	S.O. 8	386
298 SPONSORED BY: Borst					
DIGEST: amending S.R. No. 78, 1993 by extending the expiration date on the Inducement Resolution through November 30, 1994 for Forest City Residential Development, Inc.					
REFERRED TO: Economic Development Committee					
	Adopted	05/23/94	05/25/94	S.R. 43	380
299 SPONSORED BY: Franklin					
DIGEST: abolishing the Marion County Board of Tax Adjustment					
REFERRED TO: Administration and Finance Committee					
	Stricken	07/11/94			526
300 SPONSORED BY: Rhodes					
DIGEST: transferring and appropriating \$2,768,358 for the Office of Youth and Family Services and appropriating \$10,962,505 for the Department of Administration, Workforce Development Division, to finance their 1994 budgets					
REFERRED TO: Administration and Finance Committee					
	Adopted	06/13/94	06/15/94	F.O. 41	447
301 SPONSORED BY: Rhodes					
DIGEST: transferring and appropriating \$276,311 for the Office of the Controller, Revenue Enhancement Division, to finance its budget from July 1 through the end of the year and to purchase software and computer equipment					
REFERRED TO: Administration and Finance Committee					
	Adopted	06/13/94	06/15/94	F.O. 42	449



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
302 SPONSORED BY: West					
DIGEST: transferring and appropriating \$645,060 for the Department of Metropolitan Development, Planning Division, to fund federally-mandated transportation planning services, completion of neighborhood plans, implementation of economic development initiatives, and improvement of computer-aided systems and services					
REFERRED TO: Metropolitan Development Committee					
	Adopted	06/13/94	06/15/94	F.O. 43	450
303 SPONSORED BY: West					
DIGEST: transferring and appropriating \$7,053,270 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to fund 1994 HOME and HOPE3 programs					
REFERRED TO: Metropolitan Development Committee					
	Adopted	06/13/94	06/15/94	F.O. 44	451
304 SPONSORED BY: West					
DIGEST: appropriating \$479,277 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to fund the Unsafe Building Program and a parking study in Broad Ripple Village					
REFERRED TO: Metropolitan Development Committee					
	Adopted	06/13/94	06/15/94	F.O. 45	452
305 SPONSORED BY: Dowden					
DIGEST: transferring and appropriating \$400 for the Superior Court, Title IV-D Court, to purchase an IRMA Board, and repealing Fiscal Ordinance No. 33, 1994					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	06/13/94	Not Req.	F.O. 47	458
306 SPONSORED BY: Golc					
DIGEST: transferring and appropriating \$2,821 for the Marion County Drug Court to purchase five computer terminals					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	06/13/94	06/15/94	F.O. 48	459
307 SPONSORED BY: Dowden					
DIGEST: appropriating \$37,595 for the Marion County Justice Agency to support the Indianapolis Challenge project, which involves coordinating comprehensive approaches to issues and problems concerning alcohol, tobacco and other drug abuse and the related violence in Marion County					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	06/13/94	06/15/94	F.O. 46	453
308 SPONSORED BY: Rhodes					
DIGEST: amending the Code by authorizing a multi-way stop at Carrollton Avenue and 50th Street and at Carrollton Avenue and 51st Street (District 7)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	06/27/94	06/29/94	G.O. 83	474

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
309 SPONSORED BY: O'Dell, Ruhmkorff DIGEST: remembering Jacob M. "Jake" Greene REFERRED TO: Whole Committee	Adopted	05/23/94	05/25/94	S.R. 39	374
310 SPONSORED BY: Beadling, Gilmer DIGEST: marking the 50th Anniversary of the June 6, 1944 Normandy Invasion REFERRED TO: Whole Committee	Adopted	05/23/94	05/25/94	S.R. 40	375
311 SPONSORED BY: Hinkle DIGEST: requesting a moratorium on issuance of improvement location permits or zoning certifications for use of property for satellite wagering facilities REFERRED TO: Whole Committee	Adopted	05/23/94	Not Req.	C.R. 67	377
312 SPONSORED BY: McClamroch DIGEST: appointing Richard Payne to the Audit Committee REFERRED TO: Administration and Finance Committee	Adopted	06/13/94	Not Req.	C.R. 68	437
313 SPONSORED BY: West DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 4, 8010 North Shadeland Avenue (approximate address) REFERRED TO: Whole Committee	Adopted	06/13/94	Not Req.	R.O. 74	446
314 SPONSORED BY: West DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 6010 West Southport Road (approxiamte address) REFERRED TO: Whole Committee	Adopted	05/23/94	Not Req.	R.O. 60	381
315 SPONSORED BY: West DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 7720 Reynolds Road (approximate address) REFERRED TO: Whole Committee	Adopted	05/23/94	Not Req.	R.O. 61	381
316 SPONSORED BY: West DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, 1418-1420 East 10th Street (approximate address) REFERRED TO: Whole Committee	Adopted	05/23/94	Not Req.	R.O. 62	381
317 SPONSORED BY: West DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 131 South Mitthoeffer (rear) (approximate address) REFERRED TO: Whole Committee	Adopted	05/23/94	Not Req.	R.O. 63	381



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
318 SPONSORED BY: West DIGEST: rezoning ordinance for Perry Township, Councilmanic District 20, 7828 Madison Avenue (approximate address) REFERRED TO: Whole Committee	Adopted	05/23/94	Not Req.	R.O. 64	381
319 SPONSORED BY: West DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 402 South Mitthoeffer Road (approximate address) REFERRED TO: Whole Committee	Adopted	05/23/94	Not Req.	R.O. 65	381
320 SPONSORED BY: West DIGEST: rezoning ordinance for Pike Township, Councilmanic District 1, 4874 North High School Road (approximate address) REFERRED TO: Whole Committee	Adopted	05/23/94	Not Req.	R.O. 66	381
321 SPONSORED BY: West DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 7759 East English Avenue (approximate address) REFERRED TO: Whole Committee	Adopted	05/23/94	Not Req.	R.O. 67	381
322 SPONSORED BY: Boyd, SerVaas, McClamroch DIGEST: congratulating the Indiana Pacers REFERRED TO: Whole Committee	Adopted	05/23/94	05/25/94	S.R. 41	376
323 SPONSORED BY: Borst DIGEST: amending S.R. No. 84, 1990, as amended, by extending the expiration date for Meadows Revival, Inc. through December 31, 1994 (38th and Meadows Drive, District 11) REFERRED TO: Economic Development Committee	Adopted	06/13/94	06/15/94	S.R. 47	440
324 SPONSORED BY: Borst DIGEST: amending S.R. 72, 1990, as amended, by extending the expiration date for Homeward Partners, Inc. through July 31, 1994 (various Regional Center sites, Districts 16 and 20) REFERRED TO: Economic Development Committee	Adopted	06/13/94	06/15/94	S.R. 48	441
325 SPONSORED BY: Borst DIGEST: approving the execution of document amendments relating to the previously issued City of Indianapolis, Indiana Economic Development Refunding Revenue Bonds (Rand McNally & Company Project), Series 1989 (3131 North Franklin Road, District 12) REFERRED TO: Economic Development Committee	Adopted	06/13/94	06/15/94	S.O. 9	442

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
326 SPONSORED BY: Borst					
DIGEST: approving an inducement resolution for the Jewish Federation of Greater Indianapolis in an amount not to exceed \$9,000,000 for the acquisition, renovation, construction and equipping of the Jewish Federation's existing facilities [which are leased to the Jewish Community Center Association of Indianapolis, Incorporation (the "JCCA")] to create additional classrooms, storage, office facilities and new programming opportunities for early childhood education, infant/toddler care and youth programming, as well as renovation for compliance with the Americans with Disabilities Act and with environmental laws plus additional office facilities for the Jewish Federation (6701 Hoover Road, District 2)					
REFERRED TO: Economic Development Committee					
	Adopted	06/13/94	06/15/94	S.R. 49	444
327 SPONSORED BY: McClamroch					
DIGEST: appointing Larry L. Tunget to the Board of Public Works					
REFERRED TO: Public Works Committee					
	Adopted	06/13/94	Not Req.	C.R. 69	437
328 SPONSORED BY: West					
DIGEST: amending the Comprehensive Zoning Maps of Marion County by updating base maps #5, #12 and #25					
REFERRED TO: Metropolitan Development Committee					
	Adopted	06/27/94	Not Req.	G.O. 84	475
329 SPONSORED BY: O'Dell					
DIGEST: approving the lease of Department of Parks and Recreation property commonly referred to as the Post Road Community Center					
REFERRED TO: Parks and Recreation Committee					
	Adopted	08/08/94	08/12/94	S.R. 59	590
330 SPONSORED BY: Golc					
DIGEST: appropriating \$99,630 in the County General Fund for the Presiding Judge of the Municipal Court to upgrade staff and equipment in order to be included in the Superior Civil case rotation--this appropriation will cover the salaries of 3 part-time commissioners and 3 full-time court reporters and the purchase of 3 recording machines					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	08/08/94	Not Req.	F.O. 62	551
331 SPONSORED BY: Dowden					
DIGEST: appropriating \$866,054 in the State and Federal Grants Fund for Community Corrections to cover operational expenses for fiscal year 1994-95					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	06/27/94	06/29/94	F.O. 49	471



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
332 SPONSORED BY: Dowden DIGEST: appropriating \$199,877 in the State and Federal Grants Fund for Community Corrections to continue the Craine House Family Living Program for fiscal year 1994-95 REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	06/27/94	06/29/94	F.O. 50	471
333 SPONSORED BY: Dowden DIGEST: appropriating \$73,927 in the State and Federal Grants Fund for Community Corrections to continue the Juvenile Intensive Probation Services program for fiscal year 1994-95 REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	06/27/94	06/29/94	F.O. 51	472
334 SPONSORED BY: Dowden DIGEST: appropriating \$42,000 in the State and Federal Grants Fund for Community Corrections to pay Project Courage's executive director's salary for fiscal year 1994-95 REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	06/27/94	06/29/94	F.O. 52	473
335 SPONSORED BY: Dowden DIGEST: appropriating \$180,221 in the Home Detention User Fee Fund for Community Corrections to cover operational expenses for fiscal year 1994-95 REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	06/27/94	06/29/94	F.O. 53	473
336 SPONSORED BY: Dowden DIGEST: transferring and appropriating \$4,000 in the Home Detention User Fee Fund for the County Auditor to pay personal services fringes for Community Corrections for the remainder of the fiscal year REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	06/27/94	06/29/94	F.O. 54	476
337 SPONSORED BY: Rhodes DIGEST: amending the Code by authorizing a multi-way stop at Northgate Street and Norwaldo Avenue (District 7) REFERRED TO: Capital Asset Management Committee	Adopted	06/27/94	06/29/94	G.O. 85	477
338 SPONSORED BY: Gilmer DIGEST: amending the Code by authorizing a multi-way stop at Coffman Road and 72nd Street (District 1) REFERRED TO: Capital Asset Management Committee	Adopted	06/27/94	06/29/94	G.O. 86	478
339 SPONSORED BY: Rhodes DIGEST: amending the Code by authorizing a multi-way stop at 57th Street and Guilford Avenue (District 7) REFERRED TO: Capital Asset Management Committee	Adopted	06/27/94	06/29/94	G.O. 87	478

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
340 SPONSORED BY: Ruhmkorff					
DIGEST: amending the Code by authorizing a multi-way stop at Whitty Lane and 14th Street (District 12)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	06/27/94	06/29/94	G.O. 88	479
341 SPONSORED BY: Rhodes					
DIGEST: amending the Code by authorizing a 30 minute parking restriction for College Avenue from 54th Street to a point 140 feet north of 54th Street (District 7)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	06/27/94	06/29/94	G.O. 89	479
342 SPONSORED BY: Mullin					
DIGEST: amending the Code by authorizing parking restrictions for Shelby Street, on the westside, from Cameron Avenue to McDougal Street (District 20)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	06/27/94	06/29/94	G.O. 90	480
343 SPONSORED BY: Shambaugh					
DIGEST: amending the Code by deleting parking restrictions on 16th Street from 185 feet west of Winton Street to 200 feet east of Winton Street (District 8)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	06/27/94	06/29/94	G.O. 91	480
344 SPONSORED BY: Smith					
DIGEST: amending the Code by authorizing a change in the speed limit on Post Road from I-74 to Northeastern Avenue (Districts 13, 23)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	08/08/94	08/12/94	G.O. 97	591
345 SPONSORED BY: McClamroch, O'Dell, Rhodes, SerVaas					
DIGEST: amending the 1994 schedule of regular council meetings					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	07/11/94	Not Req.	C.R. 73	513
346 SPONSORED BY: Hinkle, Jimison					
DIGEST: concerning United Way's "Day of Caring"					
REFERRED TO: Whole Committee					
	Adopted	06/13/94	06/15/94	S.R. 42	436
347 SPONSORED BY: West					
DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 5, 7902 North County Line Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	06/13/94	Not Req.	R.O. 68	445



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
348 SPONSORED BY: West DIGEST: rezoning ordinance for Pike Township, Councilmanic District 1, 9192 Waldemar Road (approximate address) REFERRED TO: Whole Committee	Adopted	06/13/94	Not Req.	R.O. 69	446
349 SPONSORED BY: West DIGEST: rezoning ordinance for Center Township, Councilmanic District 17, 1505 West Morris Street (approximate address) REFERRED TO: Whole Committee	Adopted	06/13/94	Not Req.	R.O. 70	446
350 SPONSORED BY: West DIGEST: rezoning ordinance for Warren Township, Councilmanic District 5, 9467 East 38th Street (approximate address) REFERRED TO: Whole Committee	Adopted	06/13/94	Not Req.	R.O. 71	446
351 SPONSORED BY: West DIGEST: rezoning ordinance for Center Township, Councilmanic District 25, 111 West Raymond Street (approximate address) REFERRED TO: Whole Committee	Adopted	06/13/94	Not Req.	R.O. 72	446
352 SPONSORED BY: West DIGEST: rezoning ordinance for Washington Township, Councilmanic District 3, 3131 East 96th Street (approximate address) REFERRED TO: Whole Committee	Adopted	06/13/94	Not Req.	R.O. 73	446
353 SPONSORED BY: Coughenour DIGEST: amending Sec. 30 1/2-7 of the Code of Indianapolis and Marion County concerning abatement costs of environmental public nuisances REFERRED TO: Public Works Committee	Adopted	06/13/94	06/15/94	G.O. 81	455
354 SPONSORED BY: Dowden DIGEST: declaring the construction of the sixth and seventh floors to the Marion County Jail a necessity and directing the Indianapolis- Marion County Building Authority to proceed immediately with the financing and construction of the two additional floors to the Jail REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	07/11/94	07/14/94	S.R. 56	517
355 SPONSORED BY: Rhodes DIGEST: amending the salary schedule for Marion County employees by adding a contingency range REFERRED TO: Administration and Finance Committee	Adopted	06/27/94	06/29/94	S.R. 50	469

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
356 SPONSORED BY: Curry					
DIGEST: an appropriation to cover one part-time employee salary, IMAGIS update, and office rearrangement expenses for the Lawrence Township Assessor from the Property Reassessment Fund in the amount of \$22,000 financed by unappropriated property tax revenues of the Property Reassessment Fund					
REFERRED TO: Administration and Finance Committee					
	Adopted	07/11/94	Not Req.	F.O. 61	526
357 SPONSORED BY: West					
DIGEST: establishes the "HUD Section 8 Special Revenue Fund"					
REFERRED TO: Metropolitan Development Committee					
	Adopted	07/11/94	07/14/94	G.O. 93	514
358 SPONSORED BY: West					
DIGEST: an appropriation to operate the Marion County Section Eight Subsidy Program by making the Housing Assistance Payments for eligible Section Eight families and paying the administrative expenses associated with the program for the Department of Metropolitan Development, Public Housing Division, from the HUD Section 8 Special Revenue Fund in the amount of \$11,416,185 financed by revenues from the HUD Section Eight Subsidy Grant					
REFERRED TO: Metropolitan Development Committee					
	Adopted	07/11/94	07/14/94	F.O. 56	514
359 SPONSORED BY: West					
DIGEST: an appropriation to support the Low Income Public Housing Program which covers salaries, materials, and utility expenses for the rehabilitation of the vacant units located at various locations for the Department of Metropolitan Development, Public Housing Division, from the Indianapolis Housing Authority Fund in the amount of \$1,471,147 financed by additional HUD contributions					
REFERRED TO: Metropolitan Development Committee					
	Adopted	07/11/94	07/14/94	F.O. 57	515
360 SPONSORED BY: West					
DIGEST: approving the disbursement of \$3,290,000 of Community Development Block Grant Funds					
REFERRED TO: Metropolitan Development Committee					
	Adopted	07/11/94	07/14/94	S.R. 57	523
361 SPONSORED BY: McClamroch					
DIGEST: recodifying and amending the Code, Article II, Administration and Enforcement, Chapter 8, Buildings and Construction					
REFERRED TO: Metropolitan Development Committee					
	Adopted	11/28/94	12/09/94	G.O. 160	977



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
362 SPONSORED BY: Dowden					
DIGEST: an appropriation to hire a deputy prosecutor to prosecute drunk driving cases and develop a new sentencing program for the Prosecuting Attorney from the County Drug Free Community Fund in the amount of \$36,750 financed by Drug Free Community Fees					
REFERRED TO: Public Safety and Criminal Justice Committee					
	No Action Taken in 1994				
363 SPONSORED BY: Dowden					
DIGEST: an appropriation to establish the Marion County Traffic Safety Partnership which will fund drunk driving law enforcement activities, including roadblocks, saturation patrols and public awareness for the Prosecuting Attorney from the State and Federal Grants Fund in the amount of \$110,000 financed by a federal grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	07/11/94	07/14/94	F.O. 58	520
364 SPONSORED BY: Dowden					
DIGEST: an appropriation to provide Adult Protective Services for fiscal year 1994-95 for the Prosecuting Attorney from the State and Federal Grants Fund in the amount of \$88,770 financed by a state grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	07/11/94	07/14/94	F.O. 59	521
365 SPONSORED BY: Dowden					
DIGEST: an appropriation to allocate accumulated fees from the Moving Traffic Deferral Program for the County Auditor, Prosecuting Attorney, County Sheriff and the Presiding Judge of the Municipal Court from the Deferral Program Fee Fund in the amount of \$188,920 financed by revenues from Uniform Traffic Tickets					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	08/22/94	Not Req.	F.O. 67	621
366 SPONSORED BY: Dowden					
DIGEST: transferring and appropriating \$4,000 for the Superior Court, Juvenile Division/Detention Center to purchase strategic planning supplies					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	08/08/94	Not Req.	F.O. 63	592
367 SPONSORED BY: Dowden					
DIGEST: transferring and appropriating \$77,000 for the following purposes: (1) for the Marion County Justice Agency to pay the salaries associated with the responsibility of eligibility screening for defendants processed through Pre Trial Services, and (2) for the Court Administrator Agency to make payments for psychiatric services and pro se post conviction relief transcripts					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	07/11/94	07/14/94	F.O. 60	522

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
368 SPONSORED BY: Hinkle					
DIGEST: amending Sec. 151-64 of the Revised Code amending the rules of the city-county council with respect to staff review of fiscal ordinances					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	07/11/94	07/14/94	G.O. 94	527
369 SPONSORED BY: Curry					
DIGEST: electing to fund the operation of MECA in part with revenue of two million dollars from the County Option Income Tax					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	08/22/94	08/25/94	S.O. 10	627
370 SPONSORED BY: McClamroch, Dowden, Franklin, Golc, Gray, SerVaas, Smith					
DIGEST: authorizing and requesting the Indianapolis-Marion County Building Authority to proceed to secure portions of the City- County Building used by courts					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	08/08/94	08/12/94	S.R. 60	593
371 SPONSORED BY: Williams					
DIGEST: amending the Code by authorizing a multi-way stop at Broadway Street and 24th Street and at Carrollton Avenue and 24th Street (District 22)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	08/08/94	08/12/94	G.O. 98	594
372 SPONSORED BY: McClamroch					
DIGEST: appointing Isaac Randolph to the Metropolitan Board of Zoning Appeals II					
REFERRED TO: Metropolitan Development Committee					
	Adopted	08/08/94	Not Req.	C.R. 75	542
373 SPONSORED BY: West					
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 12, 7604 East 10th Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	06/27/94	Not Req.	R.O. 75	466
374 SPONSORED BY: West					
DIGEST: rezoning ordinance for Perry Township, Councilmanic District 20, 7151 South Madison Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	06/27/94	Not Req.	R.O. 76	466
375 SPONSORED BY: West					
DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 5, 7902 North County Line Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	06/27/94	Not Req.	R.O. 77	376



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
376 SPONSORED BY: West DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 5, 10308 East 59th Street (approximate address) REFERRED TO: Whole Committee	Adopted	06/27/94	Not Req.	R.O. 78	466
377 SPONSORED BY: West DIGEST: rezoning ordinance for Washington Township, Councilmanic District 3, 8875 Haverstick Road (approximate address) REFERRED TO: Whole Committee	Adopted	06/27/94	Not Req.	R.O. 79	467
378 SPONSORED BY: West DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 6220 Rockville Road (approximate address) REFERRED TO: Whole Committee	Adopted	06/27/94	Not Req.	R.O. 80	467
379 SPONSORED BY: West DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 8225-8235 Crawfordsville Road (approximate address) REFERRED TO: Whole Committee	Adopted	06/27/94	Not Req.	R.O. 81	467
380 SPONSORED BY: West DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 6130 Gray Road (approximate address) REFERRED TO: Whole Committee	Adopted	06/27/94	Not Req.	R.O. 82	467
381 SPONSORED BY: West DIGEST: rezoning ordinance for Warren Township, Councilmanic District 5, 9041 East 30th Street (approximate address) REFERRED TO: Whole Committee	Adopted	06/27/94	Not Req.	R.O. 83	467
382 SPONSORED BY: West DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 5315 Rockville Road (approximate address) REFERRED TO: Whole Committee	Adopted	06/27/94	Not Req.	R.O. 84	467
383 SPONSORED BY: West DIGEST: rezoning ordinance for Pike Township, Councilmanic District 2, 7879 Michigan Road (approximate address) REFERRED TO: Whole Committee	Adopted	06/27/94	Not Req.	R.O. 85	467

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
384 SPONSORED BY: Borst					
DIGEST: amending S.R. No. 72, 1990, as amended, by extending the expiration date for Homeward Partners, Inc. through December 31, 1994 (various Regional Center sites, Districts 16 and 20)					
REFERRED TO: Economic Development Committee					
	Adopted	07/11/94	07/14/94	S.R. 53	502
385 SPONSORED BY: Borst					
DIGEST: an inducement resolution for North American Laboratory, Inc. in an amount not to exceed \$3,000,000 for the acquisition, construction and equipping of an approximately 50,000 square foot building to be located at the southwest corner of 62nd Street and Guion Road which will be used for the manufacturing of a variety of dry mix products for the healthcare and food service industries (District 9)					
REFERRED TO: Economic Development Committee					
	Adopted	07/11/94	07/14/94	S.R. 54	503
386 SPONSORED BY: Borst					
DIGEST: ratifying and extending S.R. No. 124, 1991 concerning Veltri Indiana, Inc. (Original Applicant) and MTJ Enterprises and ATF Automotive Group, Inc. (Successor Applicants) in an amount not to exceed \$8,500,000 for the acquisition, renovation, construction, equipping and expansion of an existing building containing approximately 105,858 square feet located at 415 North Tremont Avenue which will be used for the processing and manufacturing of metal stamping products (District 16)					
REFERRED TO: Economic Development Committee					
	Adopted	07/11/94	07/14/94	S.R. 55	505
387 SPONSORED BY: Rhodes					
DIGEST: authorizing Marion County to provide worker's compensation by participation in the Indiana Public Employees' Plan, Inc.					
REFERRED TO: Administration and Finance Committee					
	Adopted	08/08/94	08/12/94	G.R. 1	595
388 SPONSORED BY: Rhodes					
DIGEST: amending the Revised Code to provide service of citations by first-class mail					
REFERRED TO: Administration and Finance Committee					
	Adopted	08/08/94	08/12/94	G.O. 99	595
389 SPONSORED BY: Franklin					
DIGEST: amending the Code by deleting certain regulations of business practices					
REFERRED TO: Administration and Finance Committee					
	No Action Taken in 1994				
390 SPONSORED BY: Franklin					
DIGEST: recodifying and amending the Code concerning hotels and places of public lodging					
REFERRED TO: Administration and Finance Committee					
	No Action Taken in 1994				



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
391 SPONSORED BY: Franklin					
DIGEST: amending the Revised Code by making certain changes in the regulation of adult entertainment establishments					
REFERRED TO: Administration and Finance Committee					
	No Action Taken in 1994				
392 SPONSORED BY: Franklin					
DIGEST: amending the Code concerning the regulation of pawnbrokers and dealers in secondhand merchandise					
REFERRED TO: Administration and Finance Committee					
	No Action Taken in 1994				
393 SPONSORED BY: Rhodes, Coughenour					
DIGEST: an appropriation to pay for data entry overtime and an extension of RW Armstrong's contract to cleanup and update the Geographic Information System (GIS) files for the Perry Township Assessor from the Property Reassessment Fund in the amount of \$21,515 financed by unappropriated property tax revenues of the Property Reassessment Fund					
REFERRED TO: Administration and Finance Committee					
	Adopted	08/22/94	Not Req.	F.O. 68	623
394 SPONSORED BY: McClamroch					
DIGEST: reappointing William R. Wayman to the Indianapolis-Marion County Building Authority Board of Trustees					
REFERRED TO: Administration and Finance Committee					
	Adopted	08/08/94	Not Req.	C.R. 76	542
395 SPONSORED BY: McClamroch					
DIGEST: appointing Lance L. Bundles to the Metropolitan Development Commission					
REFERRED TO: Metropolitan Development Committee					
	Adopted	08/22/94	Not Req.	C.R. 77	613
396 SPONSORED BY: West					
DIGEST: amending the Revised Code to terminate the Public Housing Division as a division of the Department of Metropolitan Development					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	11/28/94	12/01/94	G.O. 161	1011
397 SPONSORED BY: West					
DIGEST: determining the need for a housing authority in Indianapolis and Marion County to carry out the public housing function					
REFERRED TO: Rules and Public Policy Committee					
	Stricken	11/28/94			1017
398 SPONSORED BY: Giffin					
DIGEST: an appropriation to transfer funds to the City of Beech Grove to develop park and recreation facilities by the Department of Parks and Recreation from the Park Land Fund in the amount of \$350,000 financed by revenues from previous sales of Department of Parks and Recreation land					
REFERRED TO: Parks and Recreation Committee					
	Adopted	08/22/94	08/25/94	F.O. 69	624

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
399 SPONSORED BY: Dowden					
DIGEST: an appropriation to purchase a computer for the Department of Public Safety, Weights and Measures Division, from the Consolidated County Fund in the amount of \$3,100 financed by a transfer between characters in the Consolidated County Fund					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	08/08/94	08/12/94	F.O. 64	597
400 SPONSORED BY: Dowden					
DIGEST: an appropriation to continue various programs for the diversion of misdemeanor populations from their penal facilities for the County Auditor, County Sheriff, Community Corrections, and the Marion County Justice Agency from the County Corrections Fund in the amount of \$294,000 financed by revenues from a state grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	08/22/94	08/25/94	F.O. 70	625
401 SPONSORED BY: Dowden					
DIGEST: an appropriation to fund a certified substance abuse program in the Community Corrections Jail Component for Community Corrections from the Home Detention User Fee Fund in the amount of \$11,400 financed by unspent 1993-94 Home Detention User Fees					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	08/08/94	08/12/94	F.O. 65	597
402 SPONSORED BY: Borst					
DIGEST: an appropriation to purchase necessary chemicals, supplies and reagents to provide urinalysis, drug and latent print services for the remainder of the year for the Forensic Services Agency from the County General Fund in the amount of \$60,000 financed by a transfer between characters in the County General Fund					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	08/08/94	08/12/94	F.O. 66	599
403 SPONSORED BY: Gilmer					
DIGEST: amending the Code by authorizing stop signs for the Willows subdivision (District 1)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	08/08/94	08/12/94	G.O. 100	600
404 SPONSORED BY: Gilmer					
DIGEST: amending the Code by authorizing intersection controls for the Country Brook subdivision (Districts 1, 9)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	08/08/94	08/12/94	G.O. 101	600
405 SPONSORED BY: Gilmer					
DIGEST: amending the Code by authorizing stop signs for the Lakeside Woods subdivision (District 1)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	08/08/94	08/12/94	G.O. 102	601



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
406 SPONSORED BY: Gilmer					
DIGEST: amending the Code by authorizing intersection controls for the Crooked Creek Villages West subdivision (District 1)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	08/08/94	08/12/94	G.O. 103	601
407 SPONSORED BY: Gilmer					
DIGEST: amending the Code by authorizing intersection controls for the Garden North subdivision (District 1)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	08/08/94	08/12/94	G.O. 104	602
408 SPONSORED BY: Beadling					
DIGEST: amending the Code by authorizing stop signs for the Feather Cove subdivision (District 5)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	08/08/94	08/12/94	G.O. 105	602
409 SPONSORED BY: Beadling					
DIGEST: amending the Code by authorizing stop signs for the Admirals Bay subdivision, Sections 6 and 7 (District 5)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	08/08/94	08/12/94	G.O. 106	603
410 SPONSORED BY: Hinkle					
DIGEST: amending the Code by authorizing stop signs for the Parc Estates subdivision (District 18)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	08/08/94	08/12/94	G.O. 107	603
411 SPONSORED BY: Dowden					
DIGEST: amending the Code by authorizing stop signs for the Bolandar Woods subdivision (District 4)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	08/08/94	08/12/94	G.O. 108	604
412 SPONSORED BY: Dowden					
DIGEST: amending the Code by authorizing stop signs for the Lake Kessler Woods subdivision (District 4)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	08/08/94	08/12/94	G.O. 109	604
413 SPONSORED BY: Dowden					
DIGEST: amending the Code by authorizing stop signs for the Kessler Pointe subdivision (District 4)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	08/08/94	08/12/94	G.O. 110	604

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
414 SPONSORED BY: Jones					
DIGEST: amending the Code by authorizing a multi-way stop at the Kealing Avenue and 13th Street (District 10)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	08/08/94	08/12/94	G.O. 111	605
415 SPONSORED BY: Brents, Gilmer, Williams					
DIGEST: amending the Code by deleting parking restrictions on Market Street between Capitol Avenue and Alabama Street, and adding new parking meters on Market Street between Capitol Avenue and Illinois Street and between Pennsylvania Street and Alabama Street (District 16)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	11/01/94	11/04/94	G.O. 156	924
416 SPONSORED BY: O'Dell					
DIGEST: recognizing the Marion County Children's Guardian Home Guild					
REFERRED TO: Whole Committee					
	Adopted	07/11/94	07/14/94	S.R. 51	485
417 SPONSORED BY: Dowden, Schneider, SerVaas					
DIGEST: recognizing East 91st Street Christian Church					
REFERRED TO: Whole Committee					
	Adopted	07/11/94	07/14/94	S.R. 52	486
418 SPONSORED BY: West					
DIGEST: rezoning ordinance for Pike Township, Councilmanic District 2, 7259 New Augusta Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	07/11/94	Not Req.	R.O. 86	517
419 SPONSORED BY: West					
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 10, 3333 North Emerson Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	07/11/94	Not Req.	R.O. 87	518
420 SPONSORED BY: West					
DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 4, (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	07/11/94	Not Req.	R.O. 88	518
421 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 8225-8235 Crawfordsville Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	07/11/94	Not Req.	R.O. 89	518



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
422 SPONSORED BY: West DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 2402 South Franklin Road (approximate address) REFERRED TO: Whole Committee	Adopted	07/11/94	Not Req.	R.O. 90	518
423 SPONSORED BY: West DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 3239 Tansel Road (approximate address) REFERRED TO: Whole Committee	Adopted	07/11/94	Not Req.	R.O. 91	519
424 SPONSORED BY: West DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 7508 Lake Road (approximate address) REFERRED TO: Whole Committee	Adopted	07/11/94	Not Req.	R.O. 92	519
425 SPONSORED BY: West DIGEST: rezoning ordinance for Warren Township, Councilmanic District 10, 2658 North Shadeland Avenue (approximate address) REFERRED TO: Whole Committee	Adopted	07/11/94	Not Req.	R.O. 93	519
426 SPONSORED BY: West DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 5383 West Rockville Road (approximate address) REFERRED TO: Whole Committee	Adopted	07/11/94	Not Req.	R.O. 94	519
427 SPONSORED BY: Rhodes DIGEST: establishes the "Information Services Internal Services Fund" REFERRED TO: Administration and Finance Committee	Adopted	08/22/94	08/25/94	G.O. 112	628
428 SPONSORED BY: O'Dell DIGEST: an appropriation to pay salary and wages for the remainder of the year for the Marion County Healthcare Center from the County General Fund in the amount of \$350,000 financed by a transfer between characters in that fund REFERRED TO: Community Affairs Committee	Adopted	09/28/94	09/29/94	F.O. 89	846
429 SPONSORED BY: O'Dell DIGEST: an appropriation to pay the expenses of wards in institutions for the Marion County Office of Family and Children from the Welfare General Fund in the amount of \$4,278,082 financed by revenues from federal reimbursements under Title IV-A and IV-E received in excess of the original amount budgeted REFERRED TO: Community Affairs Committee	Adopted	08/22/94	08/25/94	F.O. 71	626

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
430 SPONSORED BY: O'Dell					
DIGEST: approving the schedule of charges for the care and maintenance of patients or residents of the Marion County Healthcare Center					
REFERRED TO: Community Affairs Committee					
	Adopted	09/28/94	09/29/94	G.R. 7	847
431 SPONSORED BY: West					
DIGEST: approving the Mayor's appointment of Elaine E. Bedel as Director of the Department of Metropolitan Development for a term ending December 31, 1994					
REFERRED TO: Metropolitan Development Committee					
	Adopted	09/28/94	Not Req.	C.R. 79	670
432 SPONSORED BY: Boyd					
DIGEST: appointing Aaron E. Haith to the Metropolitan Development Commission					
REFERRED TO: Metropolitan Development Committee					
	Stricken	12/12/94			1083
433 SPONSORED BY: Gilmer					
DIGEST: approving an application for designation of the former Target Distribution Center as an Industrial Recovery Site					
REFERRED TO: Metropolitan Development Committee					
	Adopted	08/22/94	08/25/94	S.O. 11	629
434 SPONSORED BY: Boyd					
DIGEST: requesting the establishment of a panel to review the operations and current circumstances of the Department of Parks and Recreation and to make recommendations to the Council					
REFERRED TO: Parks and Recreation Committee					
	Stricken	09/12/94			651
435 SPONSORED BY: Dowden					
DIGEST: an appropriation to purchase a computer and printer and to attend an out-of-state judicial seminar for the Superior Court, Criminal Division, Room Four, from the County General Fund in the amount of \$2,824 financed by a transfer between characters in that fund					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	08/22/94	Not Req.	F.O. 72	630
436 SPONSORED BY: McClamroch					
DIGEST: an appropriation from the Cumulative Capital Development Fund in the amount of \$316,000 to pay jail rent for the County Sheriff funded by reducing appropriations for the County Sheriff and the Court Administrator Agency					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	09/12/94	09/15/94	F.O. 74	644
437 SPONSORED BY: Dowden					
DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$60,000 to pay overtime to officers working Project 55 for the County Sheriff financed by revenues from a state grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	09/12/94	09/15/94	F.O. 75	645



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
438 SPONSORED BY: Dowden					
DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$9,830 to pay for personnel services for the Julian Center for the Marion County Justice Agency financed by revenues from a federal grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	09/12/94	09/15/94	F.O. 76	646
439 SPONSORED BY: Dowden					
DIGEST: an appropriation from the Drug Free Community Fund in the amount of \$564,773 to provide various criminal justice, treatment and education programs promoting comprehensive local alcohol, tobacco and drug abuse prevention initiatives for the Marion County Justice Agency financed by unappropriated revenues					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	09/12/94	09/15/94	F.O. 77	647
440 SPONSORED BY: Dowden					
DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$445,140 to pay salaries and other costs associated with law enforcement officers participating in the multi-jurisdictional pursuit of illegal drug activities for the County Auditor, Prosecuting Attorney, County Sheriff, and Marion County Justice Agency financed by revenues from a state grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	09/12/94	09/15/94	F.O. 78	648
441 SPONSORED BY: Dowden					
DIGEST: an appropriation from the Supplemental Adult Probation Fees Fund in the amount of \$16,000 to fund increased telephone expenses and urine processing fees and to cover expenditures concerning office security, office operations and other special needs for the Superior Court, Criminal Division, Probation Department, financed by unappropriated revenues					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	09/12/94	09/15/94	F.O. 79	649
442 SPONSORED BY: Dowden					
DIGEST: an appropriation to cover contract photocopying services for the Superior Court, Criminal Division, Probation Department, from the Supplemental Adult Probation Fees Fund in the amount of \$2,500 financed by a transfer between characters in that fund					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	08/22/94	08/25/94	F.O. 73	631
443 SPONSORED BY: Dowden					
DIGEST: amending the Code by eliminating the age cap for the County Sheriff's Reserves					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	08/22/94	08/25/94	G.O. 113	632

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
444 SPONSORED BY: Dowden DIGEST: amending the Community Corrections program for fiscal year 1994-1995, and approving the actions of the Community Corrections Advisory Board for and on behalf of the Superior Court, Juvenile Division's 1994-1995 grant application to the State REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	09/12/94	Not Req.	C.R. 78	652
445 SPONSORED BY: Smith DIGEST: amending the Code authorizing intersection controls for the Arlington Commons subdivision (District 23) REFERRED TO: Capital Asset Management Committee	Adopted	09/12/94	09/15/94	G.O. 115	656
446 SPONSORED BY: Coughenour DIGEST: amending the Code authorizing intersection controls for the Southport Crossing subdivision (District 24) REFERRED TO: Capital Asset Management Committee	Adopted	09/12/94	09/15/94	G.O. 116	657
447 SPONSORED BY: Gilmer DIGEST: amending the Code authorizing intersection controls for the Eagles Watch subdivision (District 1) REFERRED TO: Capital Asset Management Committee	Adopted	09/12/94	09/15/94	G.O. 117	657
448 SPONSORED BY: Gilmer DIGEST: amending the Code authorizing intersection controls for the Traders Hollow subdivision (District 1) REFERRED TO: Capital Asset Management Committee	Adopted	09/12/94	09/15/94	G.O. 118	658
449 SPONSORED BY: Gilmer DIGEST: amending the Code authorizing intersection controls for the Normandy Farms subdivision (District 1) REFERRED TO: Capital Asset Management Committee	Adopted	09/12/94	09/15/94	G.O. 119	658
450 SPONSORED BY: Dowden DIGEST: amending the Code authorizing intersection controls for Deville Place subdivision (District 4) REFERRED TO: Capital Asset Management Committee	Adopted	09/12/94	09/15/94	G.O. 120	658
451 SPONSORED BY: Dowden DIGEST: amending the Code authorizing intersection controls for the Ivy Ridge subdivision (District 4) REFERRED TO: Capital Asset Management Committee	Adopted	09/12/94	09/15/94	G.O. 121	659



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
452 SPONSORED BY: Gilmer					
DIGEST: amending the Code authorizing a traffic signal at Zionsville Road and 74th Street (District 1)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	09/12/94	09/15/94	G.O. 127	662
453 SPONSORED BY: Black					
DIGEST: amending the Code authorizing a multi-way stop at Washington Boulevard and 32nd Street (Districts 6, 22)					
REFERRED TO: Capital Asset Management Committee					
	Stricken	11/28/94			1017
454 SPONSORED BY: Black					
DIGEST: amending the Code by deleting the no parking anytime restriction on Illinois Street, on the eastside, from 39th Street to 40th Street (District 6)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	09/12/94	09/15/94	G.O. 128	662
455 SPONSORED BY: West					
DIGEST: amending the Comprehensive Zoning Maps of Marion County by updating base maps #6 and #18					
REFERRED TO: Metropolitan Development Committee					
	Adopted	10/17/94	Not Req.	G.O. 134	871
456 SPONSORED BY: Dowden					
DIGEST: the annual budget for the Police Special Service District for 1995					
REFERRED TO: Public Safety and Criminal Justice Committee				P.S.S.D	
	Adopted	09/28/94	09/29/94	F.O. 2	685
457 SPONSORED BY: Dowden					
DIGEST: the annual budget for the Fire Special Service District for 1995					
REFERRED TO: Public Safety and Criminal Justice Committee				F.S.S.D	
	Adopted	09/28/94	09/29/94	F.O. 2	690
458 SPONSORED BY: Coughenour					
DIGEST: the annual budget for the Solid Waste Collection Special Service District for 1995					
REFERRED TO: Public Works Committee				S.W.C.S.S.D.	
	Adopted	09/28/94	09/29/94	F.O. 2	695
459 SPONSORED BY: McClamroch					
DIGEST: the annual budget for the Public Housing Division for 1995					
REFERRED TO: Metropolitan Development Committee					
	Adopted	09/28/94	09/29/94	F.O. 84	720
460 SPONSORED BY: McClamroch					
DIGEST: the annual budget of the Revenue Bonds Debt Service Funds for 1995					
REFERRED TO: Administration and Finance Committee					
	Adopted	09/28/94	09/29/94	F.O. 85	723

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
461 SPONSORED BY: O'Dell DIGEST: the annual budget for the Marion County Office of Family and Children for 1995 REFERRED TO: Community Affairs Committee	Adopted	09/28/94	09/29/94	F.O. 86	731
462 SPONSORED BY: McClamroch DIGEST: the annual budget for the Metropolitan Emergency Communications Agency for 1995 REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	09/28/94	09/29/94	F.O. 87	741
463 SPONSORED BY: McClamroch DIGEST: the annual budget for Indianapolis and Marion County for 1995 REFERRED TO: Various Committee	Adopted	09/28/94	09/29/94	F.O. 88	749
464 SPONSORED BY: West DIGEST: rezoning ordinance for Washington Township, Councilmanic District 11, 4650 Millersville Road (approximate address) REFERRED TO: Whole Committee	Adopted	08/22/94	Not Req.	R.O. 115	620
465 SPONSORED BY: West DIGEST: rezoning ordinance for Franklin Township, Councilmanic District 23, 5909 Bradston Way (approximate address) REFERRED TO: Whole Committee	Adopted	08/08/94	Not Req.	R.O. 95	549
466 SPONSORED BY: West DIGEST: rezoning ordinance for Center Township, Councilmanic Districts 21 and 22, 2201/2202 through 2301/2302 South Shelby Street (approximate address) REFERRED TO: Whole Committee	Adopted	08/08/94	Not Req.	R.O. 96	549
467 SPONSORED BY: West DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 19, 9186 Rockville Road (approximate address) REFERRED TO: Whole Committee	Adopted	08/08/94	Not Req.	R.O. 97	549
468 SPONSORED BY: West DIGEST: rezoning ordinance for Center Township, Councilmanic District 10, 2815 and 2825 East 25th Street (approximate address) REFERRED TO: Whole Committee	Adopted	08/08/94	Not Req.	R.O. 98	550
469 SPONSORED BY: West DIGEST: rezoning ordinance for Center Township, Councilmanic District 15, 4530, 4534 and 4538 East 16th Street (approximate address) REFERRED TO: Whole Committee	Adopted	08/08/94	Not Req.	R.O. 99	550



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
470 SPONSORED BY: West DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 321 and 401 West Edgewood Avenue (approximate address) REFERRED TO: Whole Committee	Adopted	08/08/94	Not Req.	R.O. 100	550
471 SPONSORED BY: West DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 4102 Rockville Road (approximate address) REFERRED TO: Whole Committee	Adopted	08/08/94	Not Req.	R.O. 101	550
472 SPONSORED BY: Franklin DIGEST: recognizing the Brokenburr Trails summer youth team REFERRED TO: Whole Committee	Adopted	08/08/94	08/12/94	S.R. 58	540
473 SPONSORED BY: West DIGEST: rezoning ordinance for Washington Township, Councilmanic District 3, 3850 East 82nd Street (approximate address) REFERRED TO: Whole Committee	Adopted	08/08/94	Not Req.	R.O. 102	550
474 SPONSORED BY: Borst DIGEST: staying the taking effect of certain regulations of the Board of Capital Asset Management REFERRED TO: Whole Committee	Adopted	08/08/94	Not Req.	C.R. 74	541
475 SPONSORED BY: Borst DIGEST: concerning the renaming of the Hoosier Dome REFERRED TO: Municipal Corporations Committee	Stricken	08/22/94			632
476 SPONSORED BY: Borst DIGEST: amending S.R. No. 45, 1993, as amended, by extending the expiration date for Brulin & Company, Inc. through March 31, 1995 (2920 Dr. Andrew J. Brown Avenue, District 22) REFERRED TO: Economic Development Committee	Adopted	08/22/94	08/25/94	S.R. 62	617
477 SPONSORED BY: SerVaas DIGEST: amending the Code by allowing the sale of food from a motor vehicle between 10:00 p.m. and 6:00 a.m., except upon a public roadway REFERRED TO: Administration and Finance Committee	Withdrawn				

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
478 SPONSORED BY: Rhodes					
DIGEST: an appropriation to pay for future contracts and consultant fees for competitive bid projects for the Department of Administration, Indianapolis Fleet Services Division, from the Consolidated County Fund in the amount of \$120,000 financed by a transfer within the division's budget					
REFERRED TO: Administration and Finance Committee					
	Adopted	09/12/94	09/15/94	F.O. 81	653
479 SPONSORED BY: McClamroch					
DIGEST: an appropriation to cover short-term IPD and IFD needs and to help cover the unfunded future liabilities of IPD and IFD Pensions for the Office of the Controller from the Sanitation PILOT Reserve Fund in the amount of \$4,400,000 financed by revenues from that fund					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	09/28/94	09/29/94	F.O. 83	684
480 SPONSORED BY: Franklin					
DIGEST: an appropriation to purchase additional office supplies and computer equipment for the Superior Court, Criminal Division, Room Three, from the County General Fund in the amount of \$4,632 financed by revenues from that fund					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Defeated	12/12/94			1053
481 SPONSORED BY: McClamroch					
DIGEST: an appropriation to pay for expenses incurred for a Special Commissioner during the transition period created when Judge James Kirsch left and Judge David Rimstidt was appointed for the Superior Court, Civil Division, Room Five, from the County General Fund in the amount of \$2,200 financed by a transfer within the court's budget					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Stricken	09/12/94			645
482 SPONSORED BY: Dowden					
DIGEST: an appropriation to cover miscellaneous and copier expenses for the Superior Court, Title IV-D Court, from the County General Fund in the amount of \$1,000 financed by a transfer within the court's budget					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	09/12/94	09/15/94	F.O. 82	654
483 SPONSORED BY: Coughenour, Gilmer					
DIGEST: an appropriation from the Sanitation General Fund, Flood Control General Fund, Transportation General Fund and the Maintenance Operations General Fund in the amount of \$4,105,087 to fund the competitive bid process for the Department of Public Works (DPW), Maintenance Operations Division, financed by transfers from the Sanitation General Fund, the Flood Control General Fund, and the Transportation General Fund within the Department of Capital Asset Management, Asset Management Division, and by contract revenues from DPW, Maintenance Operations Division's, Maintenance Operations General Fund					
REFERRED TO: Public Works Committee					
	Adopted	09/12/94	09/15/94	F.O. 80	650



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
484 SPONSORED BY: Coughenour DIGEST: amending the Revised Code concerning the divisions within the Department of Public Works REFERRED TO: Public Works Committee	Adopted	09/28/94	09/29/94	G.O. 133	849
485 SPONSORED BY: Coughenour DIGEST: amending the Code to permit Indianapolis to operate an air program in compliance with Title V of the Clean Air Act REFERRED TO: Public Works Committee	Adopted	10/17/94	10/20/94	G.O. 136	873
486 SPONSORED BY: Ruhmkorff, O'Dell DIGEST: amending the Code by authorizing intersection controls for Cumberland Estates Subdivision, Phases 2 and 3, Sections 1 and 2 (Districts 12, 13) REFERRED TO: Capital Asset Management Committee	Adopted	09/12/94	09/15/94	G.O. 122	659
487 SPONSORED BY: Ruhmkorff DIGEST: amending the Code by authorizing intersection controls for Park Valley subdivision (District 12) REFERRED TO: Capital Asset Management Committee	Adopted	09/12/94	09/15/94	G.O. 123	660
488 SPONSORED BY: Gray, Jr. DIGEST: amending the Code by authorizing intersection controls for Morningside subdivision (District 9) REFERRED TO: Capital Asset Management Committee	Adopted	09/12/94	09/15/94	G.O. 124	661
489 SPONSORED BY: Gray DIGEST: amending the Code by authorizing intersection controls for Oakforge Woods subdivision (District 9) REFERRED TO: Capital Asset Management Committee	Adopted	09/12/94	09/15/94	G.O. 125	661
490 SPONSORED BY: Gray DIGEST: amending the Code by authorizing stop signs at Arabian Run and Pinto Way, and at Dapple Trace and Sommerworth Lane (District 9) REFERRED TO: Capital Asset Management Committee	Adopted	09/12/94	09/15/94	G.O. 126	661
491 SPONSORED BY: Coughenour DIGEST: amending the Code by authorizing a traffic signal at Madison Avenue and Freddy Drive (District 24) REFERRED TO: Capital Asset Management Committee	No Action Taken in 1994				

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
492 SPONSORED BY: Williams					
DIGEST: amending the Code by authorizing parking restrictions on 30th Street in the vicinity of Elmira Street (District 22)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	09/12/94	09/15/94	G.O. 129	663
493 SPONSORED BY: Boyd					
DIGEST: amending the Code by reducing the speed limit on 46th Street between Ritter Avenue and Shadeland Avenue (Districts 11, 14)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	09/12/94	09/15/94	G.O. 130	664
494 SPONSORED BY: Borst					
DIGEST: amending the Code by authorizing a weight limit restriction on Thompson Road from Sandhurst Drive to Warman Avenue (District 25)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	09/12/94	09/15/94	G.O. 131	664
495 SPONSORED BY: Gray					
DIGEST: amending the Code by authorizing a one-way traffic flow northbound on Melbourne Street from 56th Street to 58th Street (District 9)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	09/12/94	09/15/94	G.O. 132	665
496 SPONSORED BY: Short					
DIGEST: amending the Code by authorizing a one-way traffic flow eastbound for Legrande Avenue from Perkins Avenue to Hobart Street (District 21)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	09/12/94	09/15/94	G.O. 114	640
497 SPONSORED BY: Schneider					
DIGEST: reviewing, modifying and approving the operating and maintenance budget and tax levies of the Indianapolis Airport Authority District					
REFERRED TO: Municipal Corporations Committee					
	Adopted	09/28/94	Not Req.	G.R. 2	698
498 SPONSORED BY: Schneider					
DIGEST: reviewing, modifying and approving the operating and maintenance budget and tax levies of the Capital Improvement Board of Managers of Marion County					
REFERRED TO: Municipal Corporations Committee					
	Adopted	09/28/94	Not Req.	G.R. 3	701
499 SPONSORED BY: Schneider					
DIGEST: reviewing, modifying and approving the operating and maintenance budget and tax levies of the Health and Hospital Corporation of Marion County					
REFERRED TO: Municipal Corporations Committee					
	Adopted	09/28/94	Not Req.	G.R. 4	705



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
500 SPONSORED BY: Schneider DIGEST: reviewing, modifying and approving the operating and maintenance budget and tax levies of the Indianapolis-Marion County Public Library Board REFERRED TO: Municipal Corporations Committee	Adopted	09/28/94	Not Req.	G.R. 5	710
501 SPONSORED BY: Schneider DIGEST: reviewing, modifying and approving the operating and maintenance budget and tax levies of the Indianapolis Public Transportation Corporation REFERRED TO: Municipal Corporations Committee	Adopted	09/28/94	Not Req.	G.R. 6	714
502 SPONSORED BY: Dowden DIGEST: recognizing the Skiles Test All-Stars baseball team REFERRED TO: Whole Committee	Adopted	08/22/94	08/25/94	S.R. 61	612
503 SPONSORED BY: West DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 5151 West Troy Avenue (approximate address) REFERRED TO: Whole Committee	Adopted	09/12/94	Not Req.	R.O. 103	618
504 SPONSORED BY: West DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 5, 9879 East Fall Creek Road (approximate address) REFERRED TO: Whole Committee	Adopted	09/12/94	Not Req.	R.O. 104	618
505 SPONSORED BY: West DIGEST: rezoning ordinance for Warren Township, Councilmanic District 10, 6909 East 38th Street (approximate address) REFERRED TO: Whole Committee	Adopted	09/12/94	Not Req.	R.O. 105	618
506 SPONSORED BY: West DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 6501 East Washington Street (approximate address) REFERRED TO: Whole Committee	Adopted	09/12/94	Not Req.	R.O. 106	618
507 SPONSORED BY: West DIGEST: rezoning ordinance for Center Township, Councilmanic District 21, 1119 East Georgia Street (approximate address) REFERRED TO: Whole Committee	Adopted	09/12/94	Not Req.	R.O. 107	618
508 SPONSORED BY: West DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 2819 Tansel Road (approximate address) REFERRED TO: Whole Committee	Adopted	09/12/94	Not Req.	R.O. 108	618

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
509 SPONSORED BY: West DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 7009 West Thompson Road (approximate address) REFERRED TO: Whole Committee	Adopted	09/12/94	Not Req.	R.O. 109	619
510 SPONSORED BY: West DIGEST: rezoning ordinance for Pike Township, Councilmanic District 1, 5755 Lafayette Road (approximate address) REFERRED TO: Whole Committee	Adopted	09/12/94	Not Req.	R.O. 110	619
511 SPONSORED BY: West DIGEST: rezoning ordinance for Washington Township, Councilmanic District 6, 4172 North Broadway Street (approximate address) REFERRED TO: Whole Committee	Adopted	09/12/94	Not Req.	R.O. 111	619
512 SPONSORED BY: West DIGEST: rezoning ordinance for Perry Township, Councilmanic District 20, 3715 South East Street (approximate address) REFERRED TO: Whole Committee	Adopted	09/12/94	Not Req.	R.O. 112	619
513 SPONSORED BY: West DIGEST: rezoning ordinance for Washington Township, Councilmanic District 3, 8602 North College Avenue (approximate address) REFERRED TO: Whole Committee	Adopted	09/12/94	Not Req.	R.O. 113	619
514 SPONSORED BY: West DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 610-650 North Senate Avenue (approximate address) REFERRED TO: Whole Committee	Adopted	09/12/94	Not Req.	R.O. 114	619
515 SPONSORED BY: West DIGEST: amending the Comprehensive Zoning Maps of Marion County by updating base maps #16, #17 and #40 REFERRED TO: Metropolitan Development Committee	Adopted	10/17/94	Not Req.	G.O. 135	872
516 SPONSORED BY: Coughenour DIGEST: approving the transfer of certain territory located at approximately 3600-4200 9th Avenue from the Consolidated City of Indianapolis to the City of Beech Grove REFERRED TO: Metropolitan Development Committee	Adopted	10/17/94	10/20/94	G.O. 137	894



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
517 SPONSORED BY: Dowden					
DIGEST: an appropriation to make technical corrections to F.O. 67, 1994 which authorized appropriations to the Prosecuting Attorney, County Sheriff, County Auditor and Presiding Judge of the Municipal Court from fees generated in the Deferral Program Fee Fund					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	09/28/94	Not Req.	F.O. 90	852
518 SPONSORED BY: Franklin					
DIGEST: an appropriation to pay for the Visiting Nurse Service as part of its Family Connection Center Program for the Domestic Relations section of the Court Administrator Agency from the State and Federal Grants Fund in the amount of \$25,600 financed by revenues from a state grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	10/17/94	10/20/94	F.O. 91	867
519 SPONSORED BY: Giffin					
DIGEST: amending the Code by authorizing a multi-way stop at Phoenix Drive and Southwest Drive (District 19)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	G.O. 141	902
520 SPONSORED BY: Gilmer					
DIGEST: amending the Code by authorizing a stop sign for Shore Drive at Shore Terrace (District 1)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	G.O. 142	902
521 SPONSORED BY: Rhodes					
DIGEST: amending the code by authorizing a multi-way stop at Beach Avenue, 79th Street and Lincoln Boulevard (District 7)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	G.O. 143	903
522 SPONSORED BY: Hinkle					
DIGEST: amending the Code by authorizing a multi-way stop at Bauman Street and West Lake Road (District 18)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	G.O. 144	903
523 SPONSORED BY: Smith					
DIGEST: amending the Code by authorizing a multi-way stop at Frye Road, Shelbyville Road and Matthews Road (District 23)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	G.O. 145	904

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
524 SPONSORED BY: Beadling					
DIGEST: amending the Code by authorizing a multi-way stop at Bowline Drive and Skipjack Drive (District 5)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	G.O. 146	904
525 SPONSORED BY: Black					
DIGEST: amending the Code by authorizing a multi-way stop at Illinois Street and 43rd Street, Westbound (District 6)					
REFERRED TO: Capital Asset Management Committee					
	Stricken	11/28/94			1017
526 SPONSORED BY: Schneider, Rhodes					
DIGEST: amending the Code by authorizing a traffic signal at 86th Street and Haverstick Road (Districts 3, 7)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	G.O. 164	1067
527 SPONSORED BY: Golc					
DIGEST: amending the Code by changing the speed limit on Tibbs Avenue from Kentucky Avenue to Washington Street (District 17)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	G.O. 149	906
528 SPONSORED BY: Brents					
DIGEST: amending the Code by authorizing reserved parking spaces for State War Memorial vehicle parking (District 16)					
REFERRED TO: Capital Asset Management Committee					
	Stricken	11/28/94			1018
529 SPONSORED BY: Giffin					
DIGEST: amending the Code by authorizing parking restrictions on Farnsworth Street, on both sides, from Holt Road to a point 1,000 feet east of Holt Road (District 19)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	G.O. 150	907
530 SPONSORED BY: Williams					
DIGEST: amending the Code by authorizing parking restrictions on Roosevelt Avenue, on both sides, from 17th Street to Tipton Street (District 22)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	G.O. 151	908
531 SPONSORED BY: Brents					
DIGEST: amending the Code by authorizing a passenger and material loading zone for One Penn Partners on Washington Street (District 16)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	G.O. 165	1070



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
532 SPONSORED BY: Smith DIGEST: recognizing the Franklin Central High School Band REFERRED TO: Whole Committee	Adopted	09/12/94	09/15/94	S.R. 63	637
533 SPONSORED BY: Gilmer, Jimison, McClamroch, SerVaas DIGEST: commemorating the anniversary of the United States Constitution REFERRED TO: Whole Committee	Adopted	09/12/94	09/15/94	S.R. 64	638
534 SPONSORED BY: Hinkle, Beadling, Borst, Dowden, Gilmer, SerVaas DIGEST: recognizing John R. Knox REFERRED TO: Whole Committee	Adopted	09/12/94	09/15/94	S.R. 65	639
535 SPONSORED BY: McClamroch DIGEST: reappointing Bernie Paul to the Air Pollution Control Board REFERRED TO: Public Works Committee	Adopted	09/28/94	Not Req.	C.R. 80	671
536 SPONSORED BY: West DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 5102 East Washington Street (approximate address) REFERRED TO: Whole Committee	Adopted	09/12/94	Not Req.	R.O. 116	642
537 SPONSORED BY: West DIGEST: rezoning ordinance for Warren Township, Councilmanic District 10, 2630 North Arlington Avenue (approximate address) REFERRED TO: Whole Committee	Adopted	09/12/94	Not Req.	R.O. 117	642
538 SPONSORED BY: West DIGEST: rezoning ordinance for Perry Township, Councilmanic District 20, 7119 U.S. 31 South (approximate address) REFERRED TO: Whole Committee	Adopted	09/12/94	Not Req.	R.O. 118	643
539 SPONSORED BY: West DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 9305 Rawles Avenue (approximate address) REFERRED TO: Whole Committee	Adopted	09/12/94	Not Req.	R.O. 119	643
540 SPONSORED BY: West DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 501 South Mitthoeffer Road (approximate address) REFERRED TO: Whole Committee	Adopted	09/12/94	Not Req.	R.O. 120	643

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
541 SPONSORED BY: West					
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 12, 3402 North Post Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	09/12/94	Not Req.	R.O. 121	643
542 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 502 Fletcher Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	09/12/94	Not Req.	R.O. 122	643
543 SPONSORED BY: Borst					
DIGEST: amending S.R. 20, 1994 (Inducement Resolution for EPI Printers, Inc.) by (i) extending the expiration date to April 30, 1995; (ii) deleting the address of 7340 East 68th Street and replacing it with the address of 7502 East 86th Street; and (iii) revising the definition of the Applicant to include V.I.B., Inc. (District 3)					
REFERRED TO: Economic Development Committee					
	Adopted	09/28/94	09/29/94	S.R. 66	674
544 SPONSORED BY: Borst					
DIGEST: an Inducement Resolution for Comar, Inc. to proceed with the acquisition, construction, installation and equipping of an approximately 105,000 square foot building to be located in the 4600 block of West 84th Street on approximately 7.92 acres of land which will be used by the Applicant for the manufacturing of custom glass and plastic packaging for use in the pharmaceutical, medical, diagnostic, healthcare, and cosmetics industries; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (District 1)					
REFERRED TO: Economic Development Committee					
	Adopted	09/28/94	09/29/94	S.R. 67	675
545 SPONSORED BY: Rhodes					
DIGEST: amending the Code by creating an incentive pay fund as a nonreverting fund					
REFERRED TO: Administration and Finance Committee					
	No Action Taken in 1994				
546 SPONSORED BY: Rhodes					
DIGEST: approving the issuance of a note by the City for the purpose of making advancements to the City Market Corporation to pay all or a portion of certain utilities expenses for the City Market accrued during the term of the lease					
REFERRED TO: Administration and Finance Committee					
	Adopted	10/17/94	10/20/94	S.R. 71	868



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
547 SPONSORED BY: Rhodes					
DIGEST: an appropriation from the Property Reassessment Fund in the amount of \$786 to pay for necessary moving expenses for the Franklin Township Assessor financed by transferring other appropriations for that agency					
REFERRED TO: Administration and Finance Committee					
	Adopted	10/17/94	10/20/94	F.O. 92	895
548 SPONSORED BY: West					
DIGEST: an appropriation from the Metropolitan Development General Fund in the amount of \$200,000 to pay for the development of the official reuse plan for Fort Benjamin Harrison financed by unappropriated revenues					
REFERRED TO: Metropolitan Development Committee					
	Adopted	11/01/94	11/04/94	F.O. 95	923
549 SPONSORED BY: Giffin					
DIGEST: amending the Revised Code to reflect the new organizational structure of the Department of Parks and Recreation					
REFERRED TO: Parks and Recreation Committee					
	Adopted	11/14/94	11/17/94	G.O. 157	944
550 SPONSORED BY: Dowden					
DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$13,950 to purchase supplies and Department Case Management Software for the Superior Court, Criminal Division, Probation Department, financed by transferring other appropriations for that agency					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	10/17/94	10/20/94	F.O. 93	896
551 SPONSORED BY: Franklin					
DIGEST: an appropriation from the County General Fund in the amount of \$708 for the Superior Court, Criminal Division, Room Two, to pay for lease and maintenance expenses of copier equipment financed by transferring other appropriations for that court					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	10/17/94	Not Req.	F.O. 94	897
552 SPONSORED BY: Coughenour					
DIGEST: approving the City's commitment to achieving the long-term state solid waste reduction goals of 35% by 1996 and 50% by 2001 by committing the necessary financial resources					
REFERRED TO: Public Works Committee					
	Adopted	10/17/94	10/20/94	S.R. 72	898
553 SPONSORED BY: O'Dell, Ruhmkorff					
DIGEST: amending the Code by authorizing a traffic signal at Post Road and 18th Street (Districts 12, 13)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	G.O. 152	908

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
554 SPONSORED BY: Coughenour					
DIGEST: amending the Code by authorizing a traffic signal at East South County Line Road and Sherman Drive (District 24)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	G.O. 153	909
555 SPONSORED BY: Hinkle					
DIGEST: amending the Code by authorizing a traffic signal at Country Club Road and 21st Street (District 18)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	G.O. 154	910
556 SPONSORED BY: Smith					
DIGEST: amending the Code by authorizing a stop sign at McGregor Road and Joyce Street (District 23)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	G.O. 147	905
557 SPONSORED BY: Williams					
DIGEST: amending the Code by authorizing a multi-way stop at New Jersey Street and 13th Street (District 22)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	G.O. 148	905
558 SPONSORED BY: Brents					
DIGEST: amending the Code by authorizing changes in parking restrictions for various downtown streets (District 16)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	G.O. 155	911
559 SPONSORED BY: Beadling					
DIGEST: amending the Code by authorizing a change in the speed limit on Sunnyside Road from 75th Street to Fox Road; and on Fox Road from Sunnyside Road to Oaklandon Road (District 5)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	G.O. 139	911
560 SPONSORED BY: Coughenour					
DIGEST: amending the Revised Code by adding a new Chapter 295, Contracting Requirements					
REFERRED TO: Public Works Committee					
	No Action Taken in 1994				
561 SPONSORED BY: Williams					
DIGEST: amending the Code to establish criteria for determining the eligibility of neighborhood development corporations and other nonprofit corporations for sales and grants of real property					
REFERRED TO: Metropolitan Development Committee					
	Adopted	10/17/94	10/20/94	G.O. 138	899



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
562 SPONSORED BY: Coughenour DIGEST: amending the Code dealing with the collection of grass REFERRED TO: Public Works Committee	Stricken	10/17/94			900
563 SPONSORED BY: West DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 4152 West Washington Street (approximate address) REFERRED TO: Whole Committee	Adopted	09/28/94	Not Req.	R.O. 123	676
564 SPONSORED BY: West DIGEST: rezoning ordinance for Center Township, Councilmanic District 11, 3701 East 38th Street (approximate address) REFERRED TO: Whole Committee	Adopted	09/28/94	Not Req.	R.O. 124	676
565 SPONSORED BY: West DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 414 West North Street (approximate address) REFERRED TO: Whole Committee	Adopted	09/28/94	Not Req.	R.O. 125	677
566 SPONSORED BY: West DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 3611 South Sherman Drive (approximate address) REFERRED TO: Whole Committee	Adopted	09/28/94	Not Req.	R.O. 126	677
567 SPONSORED BY: West DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 3260 Salt Lake Road (approximate address) REFERRED TO: Whole Committee	Adopted	09/28/94	Not Req.	R.O. 127	677
568 SPONSORED BY: West DIGEST: rezoning ordinance for Center Township, Councilmanic District 17, 101 South Belmont Street (approximate address) REFERRED TO: Whole Committee	Adopted	09/28/94	Not Req.	R.O. 128	677
569 SPONSORED BY: West DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, 1610, 1614, 1620, and 1624 North Alabama Street (approximate address) REFERRED TO: Whole Committee	Adopted	09/28/94	Not Req.	R.O. 129	677
570 SPONSORED BY: SerVaas DIGEST: amending the Code by authorizing a traffic signal for Michigan Road and the entrance to Lowe's (8440 N.) (District 2) REFERRED TO: Capital Asset Management Committee	Adopted	10/17/94	10/20/94	G.O. 140	901

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
571 SPONSORED BY: Borst					
DIGEST: amending S.R. No. 54, 1994 (Inducement Resolution for North American Laboratory Company in an amount not to exceed \$3,000,000 for the acquisition, construction and equipping of an approximately 50,000 square foot building to be located at the southwest corner of 62nd Street and Guion Road which will be used for the manufacturing of a variety of dry mix products for the healthcare and food service industries) by revising the definition of the Applicant (District 9)					
REFERRED TO: Economic Development Committee					
	Adopted	10/17/94	10/20/94	S.R. 70	862
572 SPONSORED BY: Borst					
DIGEST: authorizing City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1994 (Knob-in-the-Woods Project) in an amount not to exceed \$8,900,000 for F.C. Indianapolis L.P. for the acquisition, renovation and equipping of the existing 520 unit multi-family residential rental project known as Knob in the Woods apartments located at 2130 Waterford Place on approximately 66 acres of land (District 9)					
REFERRED TO: Economic Development Committee					
	Adopted	10/17/94	10/20/94	S.O. 12	863
573 SPONSORED BY: Rhodes					
DIGEST: an appropriation from the County General Fund in the amount of \$75,000 for technical assistance for maintaining service levels for the Information Services Agency financed by transferring other appropriations for that agency					
REFERRED TO: Administration and Finance Committee					
	Adopted	11/01/94	11/04/94	F.O. 96	926
574 SPONSORED BY: Gilmer					
DIGEST: determining the need to lease office space at Thomson Consumer Electronics, 600 North Sherman Drive, for the Department of Capital Asset Management's Asset Planning and Project Management Divisions					
REFERRED TO: Administration and Finance Committee					
	Adopted	11/01/94	11/04/94	S.R. 76	927
575 SPONSORED BY: Borst, Hinkle, Rhodes					
DIGEST: requesting the Metropolitan Development Commission to initiate and adopt amendments to the Central Business District Zoning Ordinance to prohibit off-track betting facilities unless zoned as a special use (SU 44)					
REFERRED TO: Metropolitan Development Committee					
	Adopted	11/01/94	Not Req.	C.R. 81	928
576 SPONSORED BY: Franklin					
DIGEST: an appropriation from the County General Fund in the amount of \$1,100 to pay for a new computer for the Superior Court, Criminal Division, Room Five, financed by transferring other appropriations for that court					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	11/01/94	Not Req.	F.O. 97	929



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
577 SPONSORED BY: Dowden					
DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$44,830 for the continued operation of the Victim Assistance Program for the County Sheriff financed by a state grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	11/28/94	12/01/94	F.O. 102	961
578 SPONSORED BY: Dowden					
DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$22,119 for the continued operation of the Child Abuse Intervention Program for the County Sheriff financed by a state grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	11/28/94	12/01/94	F.O. 103	962
579 SPONSORED BY: Dowden					
DIGEST: an appropriation from the County General Fund in the amount of \$37,678 to pay for miscellaneous contractual amounts for the County Sheriff financed by transferring other appropriations for that department					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	11/14/94	Not Req.	F.O. 99	942
580 SPONSORED BY: Dowden					
DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$365,000 to pay for the continuation of a comprehensive traffic safety program in Marion County for the Prosecuting Attorney financed by a federal grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	11/28/94	12/01/94	F.O. 104	963
581 SPONSORED BY: Dowden					
DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$122,759 for the continuation of the Victim Witness Program through the Prosecuting Attorney financed by a state grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	11/28/94	12/01/94	F.O. 105	964
582 SPONSORED BY: Dowden					
DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$28,454 to pay for the continuation of Salvation Army's Domestic Violence Program through the Prosecuting Attorney financed by a state grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	11/28/94	12/01/94	F.O. 106	965
583 SPONSORED BY: Dowden					
DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$7,385 for the continuation of Adult Protective Services through the Prosecuting Attorney financed by a state grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	11/28/94	12/01/94	F.O. 107	965

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
584 SPONSORED BY: Dowden					
DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$109,094 to study sentencing alternatives for drunk drivers for the Prosecuting Attorney financed by a state grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	11/28/94	12/01/94	F.O. 108	966
585 SPONSORED BY: Dowden					
DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$521,656 for the Community Corrections Agency financed by a state grant for home detention services for the Juvenile Division of the Superior Court					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	11/28/94	12/01/94	F.O. 109	967
586 SPONSORED BY: McClamroch					
DIGEST: requesting the Indianapolis-Marion County Building Authority to prepare specifications for provision of security services for the courts and to issue a request for proposals					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	11/28/94	Not Req.	C.R. 83	1019
587 SPONSORED BY: Gilmer					
DIGEST: approving an amendment to the public lighting contract between the Indianapolis Power & Light Company and the City					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	11/28/94	12/01/94	S.R. 82	1019
588 SPONSORED BY: Jimison					
DIGEST: amending the Code by authorizing a traffic signal at Limestone Street and Michigan Street (District 16)					
REFERRED TO: Capital Asset Management Committee					
	No Action Taken in 1994				
589 SPONSORED BY: Black					
DIGEST: amending the Code by authorizing a multi-way stop at Kingsley Drive and 49th Street (District 6)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	11/14/94	11/17/94	G.O. 158	949
590 SPONSORED BY: Rhodes, McClamroch					
DIGEST: requesting the Metropolitan Development Commission to initiate and adopt amendments to the Dwelling District Zoning Ordinance to prohibit residential group homes for the mentally ill from locating within 3000 feet of another such facility					
REFERRED TO: Metropolitan Development Committee					
	No Action Taken in 1994				



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
591 SPONSORED BY: Coughenour, Borst DIGEST: rejecting certain regulations of the Board of Capital Asset Management REFERRED TO: Capital Asset Management Committee	Stricken	11/01/94			930
592 SPONSORED BY: West DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 707 Beachway Drive (approximate address) REFERRED TO: Whole Committee	Adopted	10/17/94	Not Req.	R.O. 130	865
593 SPONSORED BY: West DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 8625, 8647 West 21st Street (approximate address) REFERRED TO: Whole Committee	Adopted	10/17/94	Not Req.	R.O. 131	865
594 SPONSORED BY: West DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 1650 and 1651 German Church Road (approximate address) REFERRED TO: Whole Committee	Adopted	10/17/94	Not Req.	R.O. 132	865
595 SPONSORED BY: West DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 2253 Raceway Road (approximate address) REFERRED TO: Whole Committee	Adopted	10/17/94	Not Req.	R.O. 133	866
596 SPONSORED BY: West DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, 1582-1590 Central Avenue (approximate address) REFERRED TO: Whole Committee	Adopted	10/17/94	Not Req.	R.O. 134	866
597 SPONSORED BY: West DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 14, 8808 East 42nd Street (approximate address) REFERRED TO: Whole Committee	Adopted	10/17/94	Not Req.	R.O. 135	866
598 SPONSORED BY: West DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 9339, 9355, 9375 and 9385 (approximate address) REFERRED TO: Whole Committee	Adopted	10/17/94	Not Req.	R.O. 136	866
599 SPONSORED BY: West DIGEST: rezoning ordinance for Center Township, Councilmanic District 6, 3433 North Illinois Street (approximate address) REFERRED TO: Whole Committee	Adopted	10/17/94	Not Req.	R.O. 137	866

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
600 SPONSORED BY: West					
DIGEST: rezoning ordinance for Washington Township, Councilmanic District					
6, 4217 North Central Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	10/17/94	Not Req.	R.O. 138	866
601 SPONSORED BY: Coughenour, Rhodes					
DIGEST: concerning unfunded mandates					
REFERRED TO: Whole Committee					
	Adopted	10/17/94	10/20/94	S.R. 68	857
602 SPONSORED BY: Jimison					
DIGEST: supporting the "I Have A Dream" National Youth Assembly					
REFERRED TO: Whole Committee					
	Adopted	10/17/94	10/20/94	S.R. 69	858
603 SPONSORED BY: McClamroch					
DIGEST: amending the Rules of Council with respect to public hearings on					
requests for additional appropriations					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	11/28/94	12/01/94	G.O. 162	1022
604 SPONSORED BY: Smith					
DIGEST: adding Consortium Foundation, Inc. and Redevelopment/Revitalization of the					
Southside Community to the list of eligible neighborhood development corporations					
for sales and grants of real property					
REFERRED TO: Metropolitan Development Committee					
	No Action Taken in 1994				
605 SPONSORED BY: Dowden					
DIGEST: an appropriation from the County General Fund in the amount of					
\$93,628 for the County Sheriff to pay for inmate food and					
housing through the end of 1994 financed by unappropriated					
revenues in the County General Fund					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	12/12/94	Not Req.	F.O. 117	1053
606 SPONSORED BY: Dowden					
DIGEST: an appropriation from the Deferral Program Fee Fund in the amount					
of \$242,057 for the County Auditor, County Sheriff, Presiding					
Judge of the Municipal Court and the Prosecuting Attorney					
financed by Moving Traffic Deferral Fees collected for the period					
between March and August 1994					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	12/12/94	Not Req.	F.O. 118	1057



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
607 SPONSORED BY: Dowden					
DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$6,812 to utilize an increase in the Family Social Services Administration grant for fiscal year 1994-95 which provides Adult Protective Services through the Prosecuting Attorney financed by a state grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	12/12/94	12/15/94	F.O. 119	1059
608 SPONSORED BY: Dowden					
DIGEST: an appropriation from the Drug Free Community Fund in the amount of \$43,900 to pay county employee salaries and fringes rather than contractors by the Marion County Justice Agency financed by transferring other appropriations for that agency					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	11/14/94	11/17/94	F.O. 100	947
609 SPONSORED BY: Dowden					
DIGEST: an appropriation from the Drug Free Community Fund in the amount of \$20,038 to reimburse I-Challenge for its Executive Director's salary and fringes by the Marion County Justice Agency financed by transferring other appropriations for that agency					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	11/14/94	11/17/94	F.O. 101	948
610 SPONSORED BY: Dowden					
DIGEST: an appropriation from the Drug Free Community Fund in the amount of \$17,300 for the Court Administrator Agency to implement the Expedited Trial Case Program to reduce the jail population awaiting trial financed by unappropriated revenues in that fund					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Stricken	12/12/94			1059
611 SPONSORED BY: Dowden					
DIGEST: an appropriation from the Home Detention User Fee Fund in the amount of \$245,130 to fund staff positions, home detention equipment and office supplies for fiscal year 1994-95 for Community Corrections financed by unappropriated revenues from that fund					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	12/12/94	12/15/94	F.O. 120	1060
612 SPONSORED BY: Coughenour					
DIGEST: amending the Code by changing the provision of solid waste collection and disposal services for multi-family residences					
REFERRED TO: Public Works Committee					
	Adopted	11/28/94	12/01/94	G.O. 163	1022
613 SPONSORED BY: Beadling					
DIGEST: amending the Code by authorizing a traffic signal at Sunnyside Road and 79th Street (District 5)					
REFERRED TO: Capital Asset Management Committee					
	No Action Taken in 1994				

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
614 SPONSORED BY: Williams DIGEST: amending the Code by authorizing no parking restrictions on Capitol Avenue from Sixteenth Street to Twenty-first Street (District 22) REFERRED TO: Capital Asset Management Committee	Adopted	11/14/94	11/17/94	G.O. 159	950
615 SPONSORED BY: Coughenour DIGEST: recognizing Andy Sims and the DPW Solid Waste Management Division REFERRED TO: Whole Committee	Adopted	11/01/94	11/04/94	S.R. 73	918
616 SPONSORED BY: Smith DIGEST: recognizing the Franklin Township School Board REFERRED TO: Whole Committee	Adopted	11/14/94	11/17/84	S.R. 77	933
617 SPONSORED BY: Gilmer, Hinkle, SerVaas DIGEST: recognizing Raymond E. Gnat REFERRED TO: Whole Committee	Adopted	11/01/94	11/04/94	S.R. 74	919
618 SPONSORED BY: Williams, Coughenour, SerVaas DIGEST: recognizing the Indianapolis Adult Literacy Coalition's Juvenile Violence: Kids and Crime forum REFERRED TO: Whole Committee	Adopted	11/01/94	11/04/94	S.R. 75	920
619 SPONSORED BY: West DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 5601 West Thompson Road (approximate address) REFERRED TO: Whole Committee	Adopted	11/01/94	Not Req.	R.O. 139	922
620 SPONSORED BY: West DIGEST: rezoning ordinance for Warren Township, Councilmanic District 12, 10602 East 10th Street (approximate address) REFERRED TO: Whole Committee	Adopted	11/01/94	Not Req.	R.O. 140	922
621 SPONSORED BY: West DIGEST: rezoning ordinance for Warren Township, Councilmanic District 10, 5780 East 25th Street (approximate address) REFERRED TO: Whole Committee	Adopted	11/01/94	Not Req.	R.O. 141	922
622 SPONSORED BY: West DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 1384 Country Club Road (approximate address) REFERRED TO: Whole Committee	Adopted	11/01/94	Not Req.	R.O. 142	922



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
623 SPONSORED BY: Borst					
DIGEST: an Inducement Resolution for Post Pointe Partners, Ltd., an Indiana limited partnership, to proceed with the acquisition, construction, renovation, installation and equipping of the existing 362 unit multifamily residential rental project known as Post Pointe Apartments located at 9027 East 39th Place on approximately 21.63 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, renovation, construction and installation of various site improvements at the facility (District 14)					
REFERRED TO: Economic Development Committee					
	Adopted	11/14/94	11/17/94	S.R. 78	938
624 SPONSORED BY: Rhodes					
DIGEST: authorizing tax anticipation borrowing for the City during the period from January 1, 1995 through December 31, 1995					
REFERRED TO: Administration and Finance Committee					
	Adopted	11/28/94	12/01/94	F.O. 110	968
625 SPONSORED BY: Rhodes					
DIGEST: authorizing tax anticipation borrowing for the County General Fund and the County Family and Children Fund during the period from January 1, 1995 through December 31, 1995					
REFERRED TO: Administration and Finance Committee					
	Adopted	11/28/94	12/01/94	F.O. 111	973
626 SPONSORED BY: Rhodes					
DIGEST: approves reductions in proposed expenditures since the adoption of the 1994 City-County Annual Budget in the amount of \$2,092,292					
REFERRED TO: Administration and Finance Committee					
	Adopted	11/28/94	12/01/94	F.O. 112	1025
627 SPONSORED BY: Dowden					
DIGEST: approves reductions in proposed expenditures since the adoption of the 1994 Police Special Service District Annual Budget in the amount of \$990,955					
REFERRED TO: Administration and Finance Committee			P.S.S.D		
	Adopted	11/28/94	12/01/94	F.O. 3	1029
628 SPONSORED BY: Dowden					
DIGEST: approves reductions in proposed expenditures since the adoption of the 1994 Fire Special Service District Annual Budget in the amount of \$330,914					
REFERRED TO: Administration and Finance Committee			F.S.S.D.		
	Adopted	11/28/94	12/01/94	F.O. 3	1030
629 SPONSORED BY: Rhodes					
DIGEST: an appropriation from the County General Fund in the amount of \$16,826 for the County Coroner to fund unexpected "buy out" expenses of terminated employees necessitated by the agency's contracting out of forensic services financed by transferring other appropriations for that agency					
REFERRED TO: Administration and Finance Committee					
	Adopted	11/28/94	Not Req.	F.O. 113	1026

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
630 SPONSORED BY: Rhodes					
DIGEST: an appropriation from the Property Reassessment Fund in the amount of \$8,107 for the Washington Township Assessor to place funds in the correct character for anticipated expenditures financed by transferring other appropriations for that agency					
REFERRED TO: Administration and Finance Committee					
	Adopted	11/28/94	12/01/94	F.O. 114	1027
631 SPONSORED BY: West					
DIGEST: an appropriation from the HUD Section 8 Special Revenue Fund in the amount of \$205,000 for the Department of Metropolitan Development, Public Housing Division, to hire additional staff and to purchase the necessary office equipment financed by transferring other appropriations for that division					
REFERRED TO: Metropolitan Development Committee					
	Adopted	11/28/94	12/01/94	F.O. 115	1028
632 SPONSORED BY: O'Dell					
DIGEST: an appropriation from the Park General/Golf Fund in the amount of \$148,000 for the Department of Parks and Recreation, Golf Division, to make repairs to fuel pumps at eleven golf courses to meet EPA and OSHA requirements and to cover administrative costs incurred during 1993 and 1994 financed by transferring other appropriations for that division					
REFERRED TO: Parks and Recreation Committee					
	No Action Taken in 1994				
633 SPONSORED BY: O'Dell					
DIGEST: an appropriation from the Park General Fund in the amount of \$40,000 for the Department of Parks and Recreation to make grants to various artists financed by the proceeds of the sale of the "Snow Plow" sculpture					
REFERRED TO: Parks and Recreation Committee					
	No Action Taken in 1994				
634 SPONSORED BY: Dowden					
DIGEST: an appropriation from the County General Fund in the amount of \$2,180 for the Superior Court, Criminal Division, Room Six, to cover 1994 outstanding supply bills and to purchase supplies for Judge Carr Darden's replacement financed by transferring other appropriations for that court					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	12/12/94	Not Req.	F.O. 131	1083
635 SPONSORED BY: Dowden					
DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$45,000 for the Marion County Public Defender Agency to cover the expenses of the pretrial release and sentencing resources project financed by a state grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	12/12/94	12/15/94	F.O. 121	1061



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
636 SPONSORED BY: Dowden					
DIGEST: an appropriation from the County General Fund in the amount of \$41,800 for the Court Administrator Agency to pay the expenses associated with maintaining current materials for the Law Library and courts and to purchase computer equipment for the Jury Pool Coordinator's Office and General Term Reporter financed by transferring other appropriations for that agency					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	12/12/94	12/15/94	F.O. 127	1068
637 SPONSORED BY: Franklin					
DIGEST: an appropriation from the County General Fund in the amount of \$3,800 for the Court Administrator Agency to purchase computer equipment financed by transferring other appropriations for that agency					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Withdrawn				
638 SPONSORED BY: Coughenour					
DIGEST: amending the Code by authorizing stop signs for the Maple Glen subdivision (District 24)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	G.O. 166	1072
639 SPONSORED BY: Gray					
DIGEST: amending the Code by authorizing stop signs for Guion Lakes subdivision (District 9)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	G.O. 167	1073
640 SPONSORED BY: Dowden					
DIGEST: amending the Code by authorizing stop signs for the Shadow Ridge subdivision (District 4)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	G.O. 168	1074
641 SPONSORED BY: Gilmer					
DIGEST: amending the Code by authorizing intersection controls for Liberty Creek subdivision (District 1)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	G.O. 169	1074
642 SPONSORED BY: Gilmer					
DIGEST: amending the Code by authorizing a multi-way stop at the Moore Road and 88th Street (District 1)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	G.O. 170	1076
643 SPONSORED BY: Moriarty Adams					
DIGEST: amending the Code by authorizing a multi-way stop at 13th Street and Downey Avenue (District 15)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	G.O. 171	1073

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
644 SPONSORED BY: Beadling					
DIGEST: amending the Code by authorizing a multi-way stop at County Line Road East and 56th Street (District 5)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	G.O. 172	1077
645 SPONSORED BY: Giffin					
DIGEST: amending the Code by authorizing a multi-way stop at Waldemere Avenue and Chelsea Road (District 19)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	G.O. 173	1077
646 SPONSORED BY: Giffin					
DIGEST: amending the Code by authorizing a multi-way stop at Burke Street and Conaroe Street (District 19)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	G.O. 174	1078
647 SPONSORED BY: Jimison					
DIGEST: amending the Code by authorizing a multi-way stop at Layman Avenue, 40th Street and Ritter Avenue (District 14)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	G.O. 175	1078
648 SPONSORED BY: Gray					
DIGEST: amending the Code authorizing a multi-way stop at Arabian Run and West 48th Street (District 9)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	G.O. 176	1079
649 SPONSORED BY: Short					
DIGEST: amending the Code by authorizing stop signs at Legrande Avenue and Hobart Road and at Legrande Avenue and Nolan Avenue (District 21)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	G.O. 177	1079
650 SPONSORED BY: O'Dell, Smith					
DIGEST: amending the Code by authorizing a multi-way stop at Ritter Avenue, Connection Avenue and Troy Avenue (Districts 13, 23)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	G.O. 178	1080
651 SPONSORED BY: Black					
DIGEST: amending the Code by authorizing a multi-way stop at Pennsylvania Street and 32nd Street (Districts 6, 22)					
REFERRED TO: Capital Asset Management Committee					
	No Action Taken in 1994				



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
652 SPONSORED BY: Williams					
DIGEST: amending the Code by authorizing parking restrictions for College Avenue, on the westside, from 11th Street to 700' north of 11th Street (District 22)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	G.O. 180	1081
653 SPONSORED BY: Shambaugh					
DIGEST: amending the Code by authorizing parking restrictions on Bayhead Drive from 34th Street to 38th Street (District 8)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	G.O. 181	1081
654 SPONSORED BY: Golc					
DIGEST: amending the Code by authorizing parking restrictions on Ohio Street, on the southside, from Bellview Place to Mount Street; and on Mount Street, on the westside, from Ohio Street to 215 feet south of Ohio Street (District 17)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	G.O. 182	1082
655 SPONSORED BY: Hinkle, O'Dell, Moriarty Adams, Brents, Franklin					
DIGEST: directing the Office of Youth and Family Services to use the \$700,000 in their budget to finance the operation of Community Centers of Indianapolis, Inc. for 1995					
REFERRED TO: Community Affairs Committee					
	Adopted	12/12/94	12/15/94	S.R. 95	1057
656 SPONSORED BY: West					
DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 3603 South Sherman Drive (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	11/14/94	Not Req.	R.O. 143	940
657 SPONSORED BY: West					
DIGEST: rezoning ordinance for Pike Township, Councilmanic District 1, 4930 and 4942 Lafayette Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	11/14/94	Not Req.	R.O. 144	940
658 SPONSORED BY: West					
DIGEST: rezoning ordinance for Washington Township, Councilmanic District 4, 4704 East 62nd Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	11/14/94	Not Req.	R.O. 145	940
659 SPONSORED BY: West					
DIGEST: rezoning ordinance for Franklin Township, Councilmanic District 23, 6802 East Southport Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	11/14/94	Not Req.	R.O. 146	940

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
660 SPONSORED BY: West DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 1055 North Girls School Road (approximate address) REFERRED TO: Whole Committee	Adopted	11/14/94	Not Req.	R.O. 147	940
661 SPONSORED BY: West DIGEST: rezoning ordinance for Center Township, Councilmanic District 15, 2301 and 2303 East 10th Street (approximate address) REFERRED TO: Whole Committee	Adopted	11/14/94	Not Req.	R.O. 148	940
662 SPONSORED BY: West DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 3504 Developers Road (approximate address) REFERRED TO: Whole Committee	Adopted	11/14/94	Not Req.	R.O. 149	940
663 SPONSORED BY: West DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 2645, 2653 North Harding Street and 1373 West 27th Street (approximate address) REFERRED TO: Whole Committee	Adopted	11/14/94	Not Req.	R.O. 150	940
664 SPONSORED BY: West DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 2451 Tansel Road (approximate address) REFERRED TO: Whole Committee	Adopted	11/14/94	Not Req.	R.O. 151	940
665 SPONSORED BY: O'Dell DIGEST: approving the lease of the Marion County Healthcare Center REFERRED TO: Community Affairs Committee	Adopted	12/12/94	12/15/94	S.R. 94	1054
666 SPONSORED BY: Franklin DIGEST: an appropriation from the County General Fund in the amount of \$1,088 for the Superior Court, Criminal Division, Room Three, to pay for supplies through year-end 1994 financed by transferring other appropriations for that court REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	12/12/94	Not Req.	F.O. 128	1069
667 SPONSORED BY: Jimison DIGEST: an appropriation from the County General Fund in the amount of \$2,000 for the Superior Court, Criminal Division, Room One, to cover the cost of supplies and stamps for the balance of 1994 and to purchase a fax machine financed by transferring other appropriations for that court REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	12/12/94	Not Req.	F.O. 129	1070



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
668 SPONSORED BY: Dowden DIGEST: an appropriation from the County General Fund in the amount of \$8,000 for the Marion County Public Defender Agency to purchase new computers financed by transferring other appropriations for that agency REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	12/12/94	12/15/94	F.O. 130'	1070
669 SPONSORED BY: Gilmer DIGEST: amending the Code by changing the name of the Department of Capital Asset Management to the Department of Engineering and changing the name of the Board of Capital Asset Management to the Board of Engineering REFERRED TO: Capital Asset Management Committee	Stricken	12/12/94			1082
670 SPONSORED BY: Moriarty Adams DIGEST: amending the Code by authorizing a multi-way stop at Bancroft Avenue and Walnut Street (District 15) REFERRED TO: Capital Asset Management Committee	Adopted	12/12/94	12/15/94	G.O. 179	1080
671 SPONSORED BY: Hinkle, Borst DIGEST: recognizing the public service of David S. Gilman REFERRED TO: Whole Committee	Adopted	11/28/94	12/01/94	S.R. 79	956
672 SPONSORED BY: Boyd, Jimison DIGEST: commending and honoring Chief of Police James D. Toler for his commitment to duty and his service to the citizens of Indianapolis and the nation REFERRED TO: Whole Committee	Adopted	11/28/94	12/01/94	S.R. 80	957
673 SPONSORED BY: Giffin, Boyd, McClamroch, SerVaas DIGEST: recognizing Faye I. Mowery REFERRED TO: Whole Committee	Adopted	11/28/94	12/01/94	S.R. 81	955
674 SPONSORED BY: Dowden DIGEST: an appropriation from the County General Fund in the amount of \$150,000 for the County Sheriff to fund the last payroll in 1994 financed by transferring appropriated funds from the Clerk of the Circuit Court REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	12/12/94	Not Req.	F.O. 122	1062
675 SPONSORED BY: Dowden DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$71,350 for the Superior Court, Criminal Division, Probation Department, to fund additional staff and computer equipment financed by a state grant REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	12/12/94	12/15/94	F.O. 123	1063

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
676 SPONSORED BY: Coughenour					
DIGEST: an appropriation from the Sanitation General Fund in the amount of \$2,132,806 for the Department of Public Works (DPW), Storm and Wastewater Management Division, to cover unanticipated expenses related to the transition to contract management of the Advanced Wastewater Treatment facility financed by equal reductions in DPW's Maintenance Operations Division and Solid Waste Management Division					
REFERRED TO: Public Works Committee					
	Adopted	12/12/94	12/15/94	F.O. 124	1064
677 SPONSORED BY: Coughenour					
DIGEST: approves reductions in proposed expenditures since the adoption of the 1994 City-County Annual Budget in the amount of \$1,221,916 in the Department of Public Works' (DPW), Maintenance Operations Division and Solid Waste Management Division in support of increased expenditures in DPW's Storm and Wastewater Management Division related to unanticipated expenses in the transition to contract management of the Advance Wastewater Treatment facility					
REFERRED TO: Public Works Committee					
	Adopted	12/12/94	12/15/94	F.O. 125	1065
678 SPONSORED BY: Coughenour					
DIGEST: an appropriation from the Maintenance Operations General Fund and Consolidated County Fund in the amount of \$650,000 for the Department of Public Works, Maintenance Operations Division, to purchase capital equipment and supplies for the new customer service response team and the street and sewer maintenance area financed by transferring other appropriated funds from DPW's Maintenance Operations Division and Administration					
REFERRED TO: Public Works Committee					
	Adopted	12/12/94	12/15/94	F.O. 126	1066
679 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 6601 West 10th Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	11/28/94	Not Req.	R.O. 152	960
680 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 9, 1005-1019 West 27th Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	11/28/94	Not Req.	R.O. 153	960
681 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 25, 1044-1050 Division Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	11/28/94	Not Req.	R.O. 154	960



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
682 SPONSORED BY: West DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 5079 East Thompson Road (approximate address) REFERRED TO: Whole Committee	Adopted	11/28/94	Not Req.	R.O. 155	960
683 SPONSORED BY: West DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 2002 South Holt Road (approximate address) REFERRED TO: Whole Committee	Adopted	11/28/94	Not Req.	R.O. 156	960
684 SPONSORED BY: West DIGEST: rezoning ordinance for Washington Township, Councilmanic District 2, 820 East 67th Street (approximate address) REFERRED TO: Whole Committee	Adopted	11/28/94	Not Req.	R.O. 157	960
685 SPONSORED BY: West DIGEST: rezoning ordinance for Warren Township, Councilmanic District 14, 10605 East 38th Street (approximate address) REFERRED TO: Whole Committee	Adopted	11/28/94	Not Req.	R.O. 158	960
686 SPONSORED BY: SerVaas DIGEST: approving a schedule of regular council meetings for the year 1995 REFERRED TO: Whole Committee	Adopted	11/28/94	Not Req.	C.R. 82	957
687 SPONSORED BY: Borst DIGEST: amending S.R. No. 78, 1994 by increasing the amount of the inducement resolution to an amount not to exceed \$8,200,000 for Post Pointe Partners, Ltd. for the acquisition, construction, renovation, installation and equipping of the existing 362 unit multifamily residential rental project known as Post Pointe Apartments located at 9027 East 39th Place, on approximately 21.63 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, renovation, construction and installation of various site improvements at the facility (District 14) REFERRED TO: Economic Development Committee	Adopted	12/12/94	12/14/94	S.R. 86	1039
688 SPONSORED BY: Borst DIGEST: amending S.R. No. 54, 1994 by extending the expiration date through June 30, 1995 for North American Laboratory Company, or a to-be-formed corporation, partnership or limited liability company, the shareholders, partners or members of which will be existing shareholders of North American Laboratory Company (Ronald H. Stern, Michael R. Oestreicher, Diana Oestreicher and Philip E. Himelstein) (District 9) REFERRED TO: Economic Development Committee	Adopted	12/12/94	12/15/94	S.R. 87	1042

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
689 SPONSORED BY: Borst					
DIGEST: amending S.R. No. 124, 1991, as amended, by extending the expiration date for MTJ Enterprises, Inc. and ATF Automotive Group, Inc. through June 30, 1995 (District 16)					
REFERRED TO: Economic Development Committee					
	Adopted	12/12/94	12/15/94	S.R. 88	1042
690 SPONSORED BY: Borst					
DIGEST: amending S.R. No. 84, 1990, as amended, by extending the expiration date for Meadows Revival, Inc. through June 30, 1995 (District 11)					
REFERRED TO: Economic Development Committee					
	Adopted	12/12/94	12/15/94	S.R. 89	1043
691 SPONSORED BY: Borst					
DIGEST: amending S.R. No. 72, 1990, as amended, by extending the expiration date for Homeward Partners, Inc. through June 30, 1995 (Districts 16, 20)					
REFERRED TO: Economic Development Committee					
	Adopted	12/12/94	12/15/94	S.R. 90	1044
692 SPONSORED BY: Borst					
DIGEST: amending S.R. No. 49, 1994 by extending the expiration date for the Jewish Federation of Greater Indianapolis, Inc. through June 30, 1995 and increasing the amount of the inducement resolution to an amount not to exceed \$13,000,000 (District 2)					
REFERRED TO: Economic Development Committee					
	Adopted	12/12/94	12/15/94	S.R. 91	1045
693 SPONSORED BY: Borst					
DIGEST: an inducement resolution for Indianapolis Art Center, Inc. in an amount not to exceed \$3,000,000 for the acquisition, construction, installation and equipping of an approximately 40,000 square foot building to be located at 820 East 67th Street on approximately 7 acres of land which will be used by the Applicant as studio classes, library, auditorium and administration to carry out its not-for-profit purposes as an art teaching and resource center providing year-round programs in studio art classes; the acquisition of machinery, equipment and furnishing for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (District 2)					
REFERRED TO: Economic Development Committee					
	Adopted	12/12/94	12/15/94	S.R. 92	1047



# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
694 SPONSORED BY: Borst					
DIGEST: an inducement resolution for Pleasant Run Children's Homes, Inc. in an amount not to exceed \$7,600,000 for the acquisition, renovation, installation and equipping of an approximately 130,000 square foot building located at approximately 2300 Lafayette Road on approximately 14 acres of land which will be used by Pleasant Run to provide residential treatment services for children ages 6-18 years and to provide office space for Home-Based counseling, Therapeutic Fast Care, Residential Group Homes and Wrap-Around services; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (District 16)					
REFERRED TO: Economic Development Committee					
	Adopted	12/12/94	12/15/94	S.R. 93	1049
695 SPONSORED BY: Dowden					
DIGEST: amending Sec. 285-307 of the Revised Code concerning the distribution of enhanced access fees					
REFERRED TO: Administration and Finance Committee					
	No Action Taken in 1994				
696 SPONSORED BY: West					
DIGEST: amending the Comprehensive Zoning Maps of Marion County by updating base maps #30, #33, #35 and #45					
REFERRED TO: Metropolitan Development Committee					
	No Action Taken in 1994				
697 SPONSORED BY: O'Dell					
DIGEST: authorizing the Marion County Recorder to collect a reasonable fee for providing duplicate copies of computer tapes, computer disks, optical disks, microfilm, or similar media to the general public					
REFERRED TO: Metropolitan Development Committee					
	No Action Taken in 1994				
698 SPONSORED BY: Moriarty Adams					
DIGEST: amending the Code by authorizing multi-way stop at Dequincy Street and Walnut Street (District 15)					
REFERRED TO: Capital Asset Management Committee					
	No Action Taken in 1994				
699 SPONSORED BY: Beadling					
DIGEST: recognizing Indiana's Elementary Principal of the Year, Susan K. Brash					
REFERRED TO: Whole Committee					
	Adopted	12/12/94	12/15/94	S.R. 83	1036
700 SPONSORED BY: Borst					
DIGEST: commending Purdue University					
REFERRED TO: Whole Committee					
	Adopted	12/12/94	12/15/94	S.R. 84	1037

# 1994 PROPOSAL INDEX

	Action	Date	Approved By Mayor	Ordinance Number	Journal Page
701 SPONSORED BY: Franklin DIGEST: recognizing powerlifter Krista Ford REFERRED TO: Whole Committee	Adopted	12/12/94	12/15/94	S.R. 85	1038
702 SPONSORED BY: West DIGEST: amending the Sign Regulations of Marion County to comprehensively revise and update the regulation of signs within the County REFERRED TO: Metropolitan Development Committee	No Action Taken in 1994				
703 SPONSORED BY: West DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 1608-1626 Country Club Road (approximate address) REFERRED TO: Whole Committee	Adopted	12/12/94	Not Req.	R.O. 159	1050
704 SPONSORED BY: West DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 1948 North Country Club Road (approximate address) REFERRED TO: Whole Committee	Adopted	12/12/94	Not Req.	R.O. 160	1050
705 SPONSORED BY: West DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, 3017 Dr. Andrew J. Brown Street (approximate address) REFERRED TO: Whole Committee	Adopted	12/12/94	Not Req.	R.O. 161	1051
706 SPONSORED BY: West DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 801-821 Paca Street (approximate address) REFERRED TO: Whole Committee	Adopted	12/12/94	Not Req.	R.O. 162	1051



# 1994 GENERAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
1 SPONSORED BY: Rhodes					
DIGEST: amending Chapter 8½ of the Code concerning the franchising of private cable television systems					
REFERRED TO: Administration and Finance Committee					
	Adopted	01/10/94	01/18/94	644, 1993	13
2 SPONSORED BY: Rhodes					
DIGEST: creating the Revenue Enhancement Division of the Office of the City Controller					
REFERRED TO: Administration and Finance Committee					
	Adopted	01/10/94	01/18/94	682, 1993	20
3 SPONSORED BY: Curry					
DIGEST: amending the Revised Code, approving uniform fees established by the IMAGIS Board on behalf of the Department of Public Works for inspection or copies of any portion of the IMAGIS Land Base Map and establishing a dedicated Electronic Map Generation Fund					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	01/10/94	01/18/94	696, 1993	22
4 SPONSORED BY: Rhodes					
DIGEST: amending the Revised Code by delegating to the Indianapolis Fleet Services division the authority to establish administrative fees charged to non-City entities that use the services of the division					
REFERRED TO: Administration and Finance Committee					
	Adopted	01/31/94	02/07/94	1	44
5 SPONSORED BY: Coughenour					
DIGEST: amending the Code concerning sick time conversion for Advanced Wastewater Treatment plant employees					
REFERRED TO: Public Works Committee					
	Adopted	01/31/94	02/07/94	4	46
6 SPONSORED BY: Beadling					
DIGEST: amending the Code by authorizing a multi-way stop at the intersection of Admirals Pointe, Admirals Pointe Drive and Promotory Road (District 5)					
REFERRED TO: Transportation Committee					
	Adopted	01/31/94	02/07/94	570, 1993	48
7 SPONSORED BY: Borst					
DIGEST: amending the Code by authorizing intersection controls for Hickory Park subdivision (District 25)					
REFERRED TO: Transportation Committee					
	Adopted	01/31/94	02/07/94	688, 1993	49
8 SPONSORED BY: Borst					
DIGEST: amending the Code by authorizing intersection controls for Country Place subdivision (District 25)					
REFERRED TO: Transportation Committee					
	Adopted	01/31/94	02/07/94	689, 1993	50

# 1994 GENERAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
9 SPONSORED BY: Ruhmkorff					
DIGEST: amending the Code by authorizing intersection controls for the Maple Creek subdivision (District 12)					
REFERRED TO: Transportation Committee					
	Adopted	01/31/94	02/07/94	690, 1993	50
10 SPONSORED BY: Ruhmkorff					
DIGEST: amending the Code by authorizing intersection controls for Lappin Way subdivision (District 12)					
REFERRED TO: Transportation Committee					
	Adopted	01/31/94	02/07/94	691, 1993	50
11 SPONSORED BY: Gray					
DIGEST: amending the Code by authorizing intersection controls for various locations in the Butler-Tarkington neighborhood (Districts 6, 9)					
REFERRED TO: Transportation Committee					
	Adopted	01/31/94	02/07/94	692, 1993	51
12 SPONSORED BY: Williams					
DIGEST: amending the Code by authorizing changes in parking restrictions for various segments of 22nd Street (District 22)					
REFERRED TO: Transportation Committee					
	Adopted	01/31/94	02/07/94	693, 1993	52
13 SPONSORED BY: Golc					
DIGEST: amending the Code by authorizing weight limit restrictions on Harris Street from Washington Street to Vandalia Avenue (District 17)					
REFERRED TO: Transportation Committee					
	Adopted	01/31/94	02/07/94	694, 1993	53
14 SPONSORED BY: Williams					
DIGEST: amending the Code by deleting the No Left Turn on College Avenue onto 14th Street (westbound) (District 22)					
REFERRED TO: Transportation Committee					
	Adopted	01/31/94	02/07/94	695, 1993	54
15 SPONSORED BY: Coughenour					
DIGEST: amending the Revised Code concerning the continuation of sewer user fees					
REFERRED TO: Public Works Committee					
	Adopted	02/14/94	02/22/94	3	76
16 SPONSORED BY: Schneider					
DIGEST: amending the Code concerning leaves for members of the Indianapolis Police Department					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	02/14/94	02/22/94	486, 1993	79
17 SPONSORED BY: Curry					
DIGEST: amending the Revised Code by revising the Council rules establishing committees					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	02/14/94	02/22/94	28	83



# 1994 GENERAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
18 SPONSORED BY: Beadling, McClamroch DIGEST: amending the Code concerning numbering buildings REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	02/28/94	03/07/94	655, 1993	106
19 SPONSORED BY: Gilmer DIGEST: amending the Code to provide for the use of automated ordinance violation citations REFERRED TO: Transportation Committee	Adopted	02/28/94	03/07/94	687, 1993	110
20 SPONSORED BY: Smith DIGEST: amending the Code by authorizing intersection controls for Southern Lakes subdivision (District 23) REFERRED TO: Capital Asset Management Committee	Adopted	02/28/94	03/07/94	77	113
21 SPONSORED BY: Ruhmkorff DIGEST: amending the Code by authorizing intersection controls for Hartman Farms subdivision (District 12) REFERRED TO: Capital Asset Management Committee	Adopted	02/28/94	03/07/94	78	114
22 SPONSORED BY: Beadling DIGEST: amending the Code by authorizing intersection controls for Admirals Bay subdivision (District 5) REFERRED TO: Capital Asset Management Committee	Adopted	02/28/94	03/07/94	79	114
23 SPONSORED BY: Gray DIGEST: amending the Code by authorizing intersection controls for Oakforge Lakes subdivision (District 9) REFERRED TO: Capital Asset Management Committee	Adopted	02/28/94	03/07/94	80	115
24 SPONSORED BY: Gilmer DIGEST: amending the Code by authorizing intersection controls for the Chestnut Hills subdivision (District 1) REFERRED TO: Capital Asset Management Committee	Adopted	02/28/94	03/07/94	81	116
25 SPONSORED BY: Coughenour DIGEST: amending the Code by authorizing a multi-way stop at McFarland Boulevard and Poppyseed Drive (District 24) REFERRED TO: Capital Asset Management Committee	Adopted	02/28/94	03/07/94	82	116
26 SPONSORED BY: Dowden DIGEST: amending the Code by authorizing a multi-way stop at Cricklewood Road and 65th Place (District 4) REFERRED TO: Capital Asset Management Committee	Adopted	02/28/94	03/07/94	83	117

# 1994 GENERAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
27 SPONSORED BY: Beadling					
DIGEST: amending the Code by authorizing a multi-way stop at Lee Road and 63rd Street (District 5)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	02/28/94	03/07/94	84	117
28 SPONSORED BY: Dowden					
DIGEST: amending the Code by authorizing a multi-way stop at Avalon Lane, Hillcrest Country Club Road, and Hillcrest Lane (District 4)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	02/28/94	03/07/94	85	118
29 SPONSORED BY: Rhodes					
DIGEST: amending the Code by authorizing a multi-way stop at Delaware Street and 55th Street (District 7)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	02/28/94	03/07/94	86	118
30 SPONSORED BY: Williams					
DIGEST: amending the Code by adding and deleting parking restrictions on 30th Street (Districts 8, 9, 10, 22)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	02/28/94	03/07/94	88	119
31 SPONSORED BY: Williams					
DIGEST: amending the Code by adding and deleting parking restrictions at various downtown locations (Districts 16, 22)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	02/28/94	03/07/94	89	121
32 SPONSORED BY: Coughenour					
DIGEST: amending the Code by changing the speed limit for segments of Southport Road (District 24)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	02/28/94	03/07/94	90	127
33 SPONSORED BY: Brents					
DIGEST: amending the Code by authorizing a passenger and material loading zone for the Pan American Plaza (District 16)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	02/28/94	03/07/94	91	128
34 SPONSORED BY: Boyd					
DIGEST: amending the Code by authorizing a weight limit restriction on segments of Fall Creek Parkway, North Drive (Districts 4, 11)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	02/28/94	03/07/94	92	128



# 1994 GENERAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
35 SPONSORED BY: Jones					
DIGEST: amending the Code by authorizing weight limit restrictions on Gale Street, Ewing Street, and Kealing Avenue between 10th Street and Brookside Parkway (District 10)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	02/28/94	03/07/94	93	128
36 SPONSORED BY: Williams					
DIGEST: amending the Code by authorizing a weight limit restriction on Arsenal Avenue from 10th Street to 12th Street (District 22)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	02/28/94	03/07/94	94	129
37 SPONSORED BY: Rhodes					
DIGEST: amending Chapter 8-1/2 of the Code concerning cable television					
REFERRED TO: Administration and Finance Committee					
	Adopted	03/21/94	03/28/94	31	158
38 SPONSORED BY: Dowden					
DIGEST: amending the Code by updating the county corrections fund					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	03/21/94	03/28/94	116	163
39 SPONSORED BY: SerVaas					
DIGEST: amending the Code authorizing intersection controls for Windcombe subdivision (District 2)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	03/21/94	03/28/94	118	164
40 SPONSORED BY: Coughenour					
DIGEST: amending the Code by authorizing intersection controls for Quail Creek subdivision (District 24)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	03/21/94	03/28/94	119	165
41 SPONSORED BY: Gilmer					
DIGEST: amending the Code by authorizing intersection controls for Lakeside Woods subdivision (District 1)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	03/21/94	03/28/94	120	166
42 SPONSORED BY: Beadling					
DIGEST: amending the Code by authorizing intersection controls for Admirals Sound subdivision (District 5)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	03/21/94	03/28/94	121	166
43 SPONSORED BY: Gilmer, SerVaas					
DIGEST: amending the Code by authorizing intersection controls for the Brettonwood subdivision (Districts 1, 2)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	03/21/94	03/28/94	122	167

# 1994 GENERAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
44 SPONSORED BY: Gilmer					
DIGEST: amending the Code by authorizing intersection controls for Ashworth subdivision (District 1)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	03/21/94	03/28/94	123	168
45 SPONSORED BY: Gilmer					
DIGEST: amending the Code by authorizing a multi-way stop at High School Road and 52nd Street (District 1)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	03/21/94	03/28/94	124	169
46 SPONSORED BY: Gray					
DIGEST: amending the Code by authorizing a traffic signal at Moller Way and Pike Plaza Road (District 9)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	03/21/94	03/28/94	125	169
47 SPONSORED BY: O'Dell, Ruhmkorff					
DIGEST: amending the Code by authorizing a multi-way stop at Cumberland Road, Muessing Street, and 10th Street (Districts 12, 13)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	03/21/94	03/28/94	126	170
48 SPONSORED BY: Brents					
DIGEST: amending the Code by authorizing a loading zone on Indiana Avenue for Forest McGinnis Interiors, Inc. (District 16)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	03/21/94	03/28/94	127	170
49 SPONSORED BY: Coughenour					
DIGEST: approving transfer of certain territory located at 4000 9th Avenue from the Consolidated City of Indianapolis to the City of Beech Grove					
REFERRED TO: Metropolitan Development Committee					
	Adopted	04/11/94	04/20/94	143	191
50 SPONSORED BY: Short, Dowden, Beadling					
DIGEST: amending the Code concerning smoking restrictions in local governmental buildings					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	04/11/94	04/20/94	160	193
51 SPONSORED BY: Hinkle					
DIGEST: amending the Code by authorizing stop signs for Arbor Wood subdivision (District 18)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	04/11/94	04/20/94	164	208
52 SPONSORED BY: Golc					
DIGEST: amending the Code by authorizing a multi-way stop at Raymond Street and Beulah Avenue (District 17)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	04/11/94	04/20/94	165	209



# 1994 GENERAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
53 SPONSORED BY: Williams					
DIGEST: amending the Code by authorizing a multi-way stop at Alabama Street and 19th Street (District 22)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	04/11/94	04/20/94	166	209
54 SPONSORED BY: Williams					
DIGEST: amending the Code by authorizing a multi-way stop at New Jersey Street and 19th Street (District 22)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	04/11/94	04/20/94	167	210
55 SPONSORED BY: Hinkle					
DIGEST: amending the Code by deleting a 35 mph speed limit for Tansel Road between Crawfordsville Road and Raceway Road (District 18)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	04/11/94	04/20/94	168	210
56 SPONSORED BY: Williams					
DIGEST: amending the Code by changing the parking restrictions on segments of New York Street (District 22)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	04/11/94	04/20/94	170	211
57 SPONSORED BY: McClamroch					
DIGEST: repealing the Central Business District, Special Development District Ordinance and amending the Central Business District Zoning Ordinance by adding the language of the repealed ordinance					
REFERRED TO: Metropolitan Development Committee					
	Adopted	04/25/94	Not Req.	194	244
58 SPONSORED BY: McClamroch					
DIGEST: combining the Airport Special Use Zoning Ordinance and the Airspace District Zoning Ordinance to create the Airport Zoning Ordinance					
REFERRED TO: Metropolitan Development Committee					
	Adopted	04/25/94	Not Req.	195	263
59 SPONSORED BY: McClamroch					
DIGEST: combining the Park Districts Zoning Ordinance, the Hospital Districts Zoning Ordinance, and the University Quarter Zoning Ordinance to create the Special Districts Zoning Ordinance					
REFERRED TO: Metropolitan Development Committee					
	Adopted	04/25/94	Not Req.	196	268
60 SPONSORED BY: McClamroch					
DIGEST: amending the Special Use Districts Zoning Ordinance by repealing twenty unused or redundant Special Use Districts and providing development standard guidelines for administrative approval for the remaining districts					
REFERRED TO: Metropolitan Development Committee					
	Adopted	04/25/94	Not Req.	197	284

# 1994 GENERAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
61 SPONSORED BY: McClamroch					
DIGEST: repealing the Regional Center-Market Square Development District (RC-M) Ordinance and rezoning land within the former RC-M District to the Central Business Districts-1 and -2 (CBD-1 and CBD-2) classifications					
REFERRED TO: Metropolitan Development Committee					
	Adopted	04/25/94	Not Req.	198	294
62 SPONSORED BY: Giffin					
DIGEST: establishing the Parks Project Revenue Fund as a non-reverting operating fund					
REFERRED TO: Parks and Recreation Committee					
	Adopted	05/09/94	05/12/94	241	308
63 SPONSORED BY: O'Dell, Rhodes					
DIGEST: amending the Revised Code concerning the Office of Youth and Family Services and the Department of Administration					
REFERRED TO: Administration and Finance Committee					
	Adopted	05/09/94	05/12/94	239	362
64 SPONSORED BY: Shambaugh					
DIGEST: amending the Code to include parking restrictions for Race Day of the Brickyard 400 (District 8)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	05/09/94	05/12/94	247	364
65 SPONSORED BY: Gilmer					
DIGEST: amending the Code by authorizing a traffic signal at Zionsville Road and 74th Street (District 1)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	05/09/94	05/12/94	248	364
66 SPONSORED BY: Gilmer					
DIGEST: amending the Code by authorizing a multi-way stop at Lafayette Road and 86th Street (District 1)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	05/09/94	05/12/94	249	364
67 SPONSORED BY: Black					
DIGEST: amending the Code by authorizing a multi-way stop at Evanston Avenue and 51st Street (District 6)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	05/09/94	05/12/94	250	365
68 SPONSORED BY: Borst					
DIGEST: amending the Code by authorizing a multi-way stop at Edgewood Avenue and Harding Street (District 25)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	05/09/94	05/12/94	251	365



# 1994 GENERAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
69 SPONSORED BY: Giffin					
DIGEST: amending the Code by authorizing a multi-way stop at Mills Road and Mooresville Road (District 19)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	05/09/94	05/12/94	252	366
70 SPONSORED BY: Brents					
DIGEST: amending the Code by authorizing a multi-way stop at California Street and Vermont Street (District 16)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	05/09/94	05/12/94	253	366
71 SPONSORED BY: Hinkle					
DIGEST: amending the Code by changing the speed limit for Westwood subdivision (District 18)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	05/09/94	05/12/94	254	367
72 SPONSORED BY: Mullin					
DIGEST: amending the Code by changing the speed limit on a segment of Hanna Avenue (District 20)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	05/09/94	05/12/94	255	367
73 SPONSORED BY: Schneider					
DIGEST: amending the Code by changing the speed limit on a segment of Harcourt Road (District 3)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	05/09/94	05/12/94	256	368
74 SPONSORED BY: Moriarty Adams					
DIGEST: amending the Code by authorizing a one-way restriction for Woodland Drive from Ohio Street to Washington Street (District 15)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	05/09/94	05/12/94	257	368
75 SPONSORED BY: Gilmer					
DIGEST: amending the Code by authorizing a weight limit restriction on 79th Street from Zionsville Road to Moore Road (District 1)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	05/09/94	05/12/94	258	369
76 SPONSORED BY: Rhodes					
DIGEST: amending the Revised Code by making certain changes in the regulation of limousines and taxicabs					
REFERRED TO: Economic Development Committee					
	Adopted	05/23/94	05/25/94	72	393
77 SPONSORED BY: Rhodes					
DIGEST: amending the Code concerning payment of accrued compensatory time					
REFERRED TO: Administration and Finance Committee					
	Adopted	05/23/94	05/25/94	193	408

# 1994 GENERAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
78 SPONSORED BY: McClamroch					
DIGEST: amending the Revised Code concerning the Marion County Information Services Board					
REFERRED TO: Administration and Finance Committee					
	Adopted	05/23/94	05/25/94	277	410
79 SPONSORED BY: Williams					
DIGEST: amending the Code by deleting one-way traffic flow on Pennsylvania Street between 30th Street and 28th Street; removing traffic signals at Pennsylvania Street and 30th Street and Pennsylvania Street and 29th Street; and authorizing no parking on Pennsylvania Street on the east side from 28th Street to 29th Street (District 22)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	05/23/94	05/25/94	284	412
80 SPONSORED BY: Rhodes					
DIGEST: concerning leave benefits for City-County employees					
REFERRED TO: Administration and Finance Committee					
	Adopted	05/23/94	05/25/94	548,1993	414
81 SPONSORED BY: Coughenour					
DIGEST: amending Sec. 30 1/2-7 of the Code of Indianapolis and Marion County concerning abatement costs of environmental public nuisances					
REFERRED TO: Public Works Committee					
	Adopted	06/13/94	06/15/94	353	455
82 SPONSORED BY: Rhodes					
DIGEST: amending the council rules concerning proposals for fiscal ordinances					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	06/13/94	06/15/94	240	457
83 SPONSORED BY: Rhodes					
DIGEST: amending the Code by authorizing a multi-way stop at Carrollton Avenue and 50th Street and at Carrollton Avenue and 51st Street (District 7)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	06/27/94	06/29/94	308	474
84 SPONSORED BY: West					
DIGEST: amending the Comprehensive Zoning Maps of Marion County by updating base maps #5, #12 and #25					
REFERRED TO: Metropolitan Development Committee					
	Adopted	06/27/94	Not Req.	328	475
85 SPONSORED BY: Rhodes					
DIGEST: amending the Code by authorizing a multi-way stop at Northgate Street and Norwaldo Avenue (District 7)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	06/27/94	06/29/94	337	477



# 1994 GENERAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
86 SPONSORED BY: Gilmer					
DIGEST: amending the Code by authorizing a multi-way stop at Coffman Road and 72nd Street (District 1)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	06/27/94	06/29/94	338	478
87 SPONSORED BY: Rhodes					
DIGEST: amending the Code by authorizing a multi-way stop at 57th Street and Guilford Avenue (District 7)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	06/27/94	06/29/94	339	478
88 SPONSORED BY: Ruhmkorff					
DIGEST: amending the Code by authorizing a multi-way stop at Whitty Lane and 14th Street (District 12)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	06/27/94	06/29/94	340	479
89 SPONSORED BY: Rhodes					
DIGEST: amending the Code by authorizing a 30 minute parking restriction for College Avenue from 54th Street to a point 140 feet north of 54th Street (District 7)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	06/27/94	06/29/94	341	479
90 SPONSORED BY: Mullin					
DIGEST: amending the Code by authorizing parking restrictions for Shelby Street, on the westside, from Cameron Avenue to McDougal Street (District 20)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	06/27/94	06/29/94	342	480
91 SPONSORED BY: Shambaugh					
DIGEST: amending the Code by deleting parking restrictions on 16th Street from 185 feet west of Winton Street to 200 feet east of Winton Street (District 8)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	06/27/94	06/29/94	343	480
92 SPONSORED BY: West					
DIGEST: amending the Code to clarify that an off-track betting facility is a permitted use in the C-4, C-5 and C-7 Commercial Zoning Districts and to add an off-track betting facility as a permitted use in the C-6 Commercial District					
REFERRED TO: Metropolitan Development Committee					
	Adopted	07/11/94	Not Req.	266	492
93 SPONSORED BY: West					
DIGEST: establishes the "HUD Section 8 Special Revenue Fund"					
REFERRED TO: Metropolitan Development Committee					
	Adopted	07/11/94	07/14/94	357	514

# 1994 GENERAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
94 SPONSORED BY: Hinkle					
DIGEST: amending Sec. 151-64 of the Revised Code amending the rules of the city-county council with respect to staff review of fiscal ordinances					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	07/11/94	07/14/94	368	527
95 SPONSORED BY: Shambaugh					
DIGEST: recodifying and amending the Code, Division 1, Article IV, Chapter 8, Buildings and Construction					
REFERRED TO: Metropolitan Development Committee					
	Adopted	08/08/94	08/12/94	144	552
96 SPONSORED BY: Giffin, Golc, Short					
DIGEST: amending the Code by authorizing a change in speed limits for segments of Raymond Street and Airport Expressway (Districts 17, 19, 21)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	08/08/94	08/12/94	283	589
97 SPONSORED BY: Smith					
DIGEST: amending the Code by authorizing a change in the speed limit on Post Road from I-74 to Northeastern Avenue (Districts 13, 23)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	08/08/94	08/12/94	344	591
98 SPONSORED BY: Williams					
DIGEST: amending the Code by authorizing a multi-way stop at Broadway Street and 24th Street and at Carrollton Avenue and 24th Street (District 22)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	08/08/94	08/12/94	371	594
99 SPONSORED BY: Rhodes					
DIGEST: amending the Revised Code to provide service of citations by first-class mail					
REFERRED TO: Administration and Finance Committee					
	Adopted	08/08/94	08/12/94	388	595
100 SPONSORED BY: Gilmer					
DIGEST: amending the Code by authorizing stop signs for the Willows subdivision (District 1)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	08/08/94	08/12/94	403	600
101 SPONSORED BY: Gilmer					
DIGEST: amending the Code by authorizing intersection controls for the Country Brook subdivision (Districts 1, 9)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	08/08/94	08/12/94	404	600



# 1994 GENERAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
102 SPONSORED BY: Gilmer DIGEST: amending the Code by authorizing stop signs for the Lakeside Woods subdivision (District 1) REFERRED TO: Capital Asset Management Committee	Adopted	08/08/94	08/12/94	405	601
103 SPONSORED BY: Gilmer DIGEST: amending the Code by authorizing intersection controls for the Crooked Creek Villages West subdivision (District 1) REFERRED TO: Capital Asset Management Committee	Adopted	08/08/94	08/12/94	406	601
104 SPONSORED BY: Gilmer DIGEST: amending the Code by authorizing intersection controls for the Garden North subdivision (District 1) REFERRED TO: Capital Asset Management Committee	Adopted	08/08/94	08/12/94	407	602
105 SPONSORED BY: Beadling DIGEST: amending the Code by authorizing stop signs for the Feather Cove subdivision (District 5) REFERRED TO: Capital Asset Management Committee	Adopted	08/08/94	08/12/94	408	602
106 SPONSORED BY: Beadling DIGEST: amending the Code by authorizing stop signs for the Admirals Bay subdivision, Sections 6 and 7 (District 5) REFERRED TO: Capital Asset Management Committee	Adopted	08/08/94	08/12/94	409	603
107 SPONSORED BY: Hinkle DIGEST: amending the Code by authorizing stop signs for the Parc Estates subdivision (District 18) REFERRED TO: Capital Asset Management Committee	Adopted	08/08/94	08/12/94	410	603
108 SPONSORED BY: Dowden DIGEST: amending the Code by authorizing stop signs for the Bolandar Woods subdivision (District 4) REFERRED TO: Capital Asset Management Committee	Adopted	08/08/94	08/12/94	411	604
109 SPONSORED BY: Dowden DIGEST: amending the Code by authorizing stop signs for the Lake Kessler Woods subdivision (District 4) REFERRED TO: Capital Asset Management Committee	Adopted	08/08/94	08/12/94	412	604
110 SPONSORED BY: Dowden DIGEST: amending the Code by authorizing stop signs for the Kessler Pointe subdivision (District 4) REFERRED TO: Capital Asset Management Committee	Adopted	08/08/94	08/12/94	413	604

# 1994 GENERAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
111 SPONSORED BY: Jones					
DIGEST: amending the Code by authorizing a multi-way stop at the Kealing Avenue and 13th Street (District 10)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	08/08/94	08/12/94	414	605
112 SPONSORED BY: Rhodes					
DIGEST: establishes the "Information Services Internal Services Fund"					
REFERRED TO: Administration and Finance Committee					
	Adopted	08/22/94	08/25/94	427	628
113 SPONSORED BY: Dowden					
DIGEST: amending the Code by eliminating the age cap for the County Sheriff's Reserves					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	08/22/94	08/25/94	443	632
114 SPONSORED BY: Short					
DIGEST: amending the Code by authorizing a one-way traffic flow eastbound for Legrande Avenue from Perkins Avenue to Hobart Street (District 21)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	09/12/94	09/15/94	496	640
115 SPONSORED BY: Smith					
DIGEST: amending the Code authorizing intersection controls for the Arlington Commons subdivision (District 23)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	09/12/94	09/15/94	445	656
116 SPONSORED BY: Coughenour					
DIGEST: amending the Code authorizing intersection controls for the Southport Crossing subdivision (District 24)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	09/12/94	09/15/94	446	657
117 SPONSORED BY: Gilmer					
DIGEST: amending the Code authorizing intersection controls for the Eagles Watch subdivision (District 1)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	09/12/94	09/15/94	447	657
118 SPONSORED BY: Gilmer					
DIGEST: amending the Code authorizing intersection controls for the Traders Hollow subdivision (District 1)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	09/12/94	09/15/94	448	658
119 SPONSORED BY: Gilmer					
DIGEST: amending the Code authorizing intersection controls for the Normandy Farms subdivision (District 1)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	09/12/94	09/15/94	449	658



# 1994 GENERAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
120 SPONSORED BY: Dowden					
DIGEST: amending the Code authorizing intersection controls for Deville Place subdivision (District 4)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	09/12/94	09/15/94	450	658
121 SPONSORED BY: Dowden					
DIGEST: amending the Code authorizing intersection controls for the Ivy Ridge subdivision (District 4)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	09/12/94	09/15/94	451	659
122 SPONSORED BY: Ruhmkorff, O'Dell					
DIGEST: amending the Code by authorizing intersection controls for Cumberland Estates Subdivision, Phases 2 and 3, Sections 1 and 2 (Districts 12, 13)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	09/12/94	09/15/94	486	659
123 SPONSORED BY: Ruhmkorff					
DIGEST: amending the Code by authorizing intersection controls for Park Valley subdivision (District 12)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	09/12/94	09/15/94	487	660
124 SPONSORED BY: Gray					
DIGEST: amending the Code by authorizing intersection controls for Morningside subdivision (District 9)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	09/12/94	09/15/94	488	661
125 SPONSORED BY: Gray					
DIGEST: amending the Code by authorizing intersection controls for Oakforge Woods subdivision (District 9)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	09/12/94	09/15/94	489	661
126 SPONSORED BY: Gray					
DIGEST: amending the Code by authorizing stop signs at Arabian Run and Pinto Way, and at Dapple Trace and Sommerworth Lane (District 9)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	09/12/94	09/15/94	490	661
127 SPONSORED BY: Gilmer					
DIGEST: amending the Code authorizing a traffic signal at Zionsville Road and 74th Street (District 1)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	09/12/94	09/15/94	452	662
128 SPONSORED BY: Black					
DIGEST: amending the Code by deleting the no parking anytime restriction on Illinois Street, on the eastside, from 39th Street to 40th Street (District 6)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	09/12/94	09/15/94	454	662

# 1994 GENERAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
129 SPONSORED BY: Williams DIGEST: amending the Code by authorizing parking restrictions on 30th Street in the vicinity of Elmira Street (District 22) REFERRED TO: Capital Asset Management Committee	Adopted	09/12/94	09/15/94	492	663
130 SPONSORED BY: Boyd DIGEST: amending the Code by reducing the speed limit on 46th Street between Ritter Avenue and Shadeland Avenue (Districts 11, 14) REFERRED TO: Capital Asset Management Committee	Adopted	09/12/94	09/15/94	493	664
131 SPONSORED BY: Borst DIGEST: amending the Code by authorizing a weight limit restriction on Thompson Road from Sandhurst Drive to Warman Avenue (District 25) REFERRED TO: Capital Asset Management Committee	Adopted	09/12/94	09/15/94	494	664
132 SPONSORED BY: Gray DIGEST: amending the Code by authorizing a one-way traffic flow northbound on Melbourne Street from 56th Street to 58th Street (District 9) REFERRED TO: Capital Asset Management Committee	Adopted	09/12/94	09/15/94	495	665
133 SPONSORED BY: Coughenour DIGEST: amending the Revised Code concerning the divisions within the Department of Public Works REFERRED TO: Public Works Committee	Adopted	09/28/94	09/29/94	484	849
134 SPONSORED BY: West DIGEST: amending the Comprehensive Zoning Maps of Marion County by updating base maps #6 and #18 REFERRED TO: Metropolitan Development Committee	Adopted	10/17/94	Not Req.	455	871
135 SPONSORED BY: West DIGEST: amending the Comprehensive Zoning Maps of Marion County by updating base maps #16, #17 and #40 REFERRED TO: Metropolitan Development Committee	Adopted	10/17/94	Not Req.	515	872
136 SPONSORED BY: Coughenour DIGEST: amending the Code to permit Indianapolis to operate an air program in compliance with Title V of the Clean Air Act REFERRED TO: Public Works Committee	Adopted	10/17/94	10/20/94	485	873



# 1994 GENERAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
137 SPONSORED BY: Coughenour					
DIGEST: approving the transfer of certain territory located at approximately 3600-4200 9th Avenue from the Consolidated City of Indianapolis to the City of Beech Grove					
REFERRED TO: Metropolitan Development Committee					
	Adopted	10/17/94	10/20/94	516	894
138 SPONSORED BY: Williams, West					
DIGEST: amending the Code to establish criteria for determining the eligibility of neighborhood development corporations and other nonprofit corporations for sales and grants of real property					
REFERRED TO: Metropolitan Development Committee					
	Adopted	10/17/94	10/20/94	561	899
139 SPONSORED BY: Beadling					
DIGEST: amending the Code by authorizing a change in the speed limit on Sunnyside Road from 75th Street to Fox Road; and on Fox Road from Sunnyside Road to Oaklandon Road (District 5)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	559	911
140 SPONSORED BY: SerVaas					
DIGEST: amending the Code by authorizing a traffic signal for Michigan Road and the entrance to Lowe's (8440 N.) (District 2)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	570	901
141 SPONSORED BY: Giffin					
DIGEST: amending the Code by authorizing a multi-way stop at Phoenix Drive and Southwest Drive (District 19)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	519	902
142 SPONSORED BY: Gilmer					
DIGEST: amending the Code by authorizing a stop sign for Shore Drive at Shore Terrace (District 1)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	520	902
143 SPONSORED BY: Rhodes					
DIGEST: amending the code by authorizing a multi-way stop at Beach Avenue, 79th Street and Lincoln Boulevard (District 7)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	521	903
144 SPONSORED BY: Hinkle					
DIGEST: amending the Code by authorizing a multi-way stop at Bauman Street and West Lake Road (District 18)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	522	903

# 1994 GENERAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
145 SPONSORED BY: Smith					
DIGEST: amending the Code by authorizing a multi-way stop at Frye Road, Shelbyville Road and Matthews Road (District 23)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	523	904
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146 SPONSORED BY: Beadling					
DIGEST: amending the Code by authorizing a multi-way stop at Bowline Drive and Skipjack Drive (District 5)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	524	904
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147 SPONSORED BY: Smith					
DIGEST: amending the Code by authorizing a stop sign at McGregor Road and Joyce Street (District 23)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	556	905
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148 SPONSORED BY: Williams					
DIGEST: amending the Code by authorizing a multi-way stop at New Jersey Street and 13th Street (District 22)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	557	905
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149 SPONSORED BY: Golc					
DIGEST: amending the Code by changing the speed limit on Tibbs Avenue from Kentucky Avenue to Washington Street (District 17)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	527	906
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150 SPONSORED BY: Giffin					
DIGEST: amending the Code by authorizing parking restrictions on Farnsworth Street, on both sides, from Holt Road to a point 1,000 feet east of Holt Road (District 19)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	529	907
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151 SPONSORED BY: Williams					
DIGEST: amending the Code by authorizing parking restrictions on Roosevelt Avenue, on both sides, from 17th Street to Tipton Street (District 22)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	530	908
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152 SPONSORED BY: O'Dell, Ruhmkorff					
DIGEST: amending the Code by authorizing a traffic signal at Post Road and 18th Street (Districts 12, 13)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	553	908
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# 1994 GENERAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
153 SPONSORED BY: Coughenour					
DIGEST: amending the Code by authorizing a traffic signal at East South County Line Road and Sherman Drive (District 24)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	554	909
154 SPONSORED BY: Hinkle					
DIGEST: amending the Code by authorizing a traffic signal at Country Club Road and 21st Street (District 18)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	555	910
155 SPONSORED BY: Brents					
DIGEST: amending the Code by authorizing changes in parking restrictions for various downtown streets (District 16)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	10/17/94	10/20/94	558	911
156 SPONSORED BY: Brents, Gilmer, Williams					
DIGEST: amending the Code by deleting parking restrictions on Market Street between Capitol Avenue and Alabama Street, and adding new parking meters on Market Street between Capitol Avenue and Illinois Street and between Pennsylvania Street and Alabama Street (District 16)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	11/01/94	11/04/94	415	924
157 SPONSORED BY: Giffin					
DIGEST: amending the Revised Code to reflect the new organizational structure of the Department of Parks and Recreation					
REFERRED TO: Parks and Recreation Committee					
	Adopted	11/14/94	11/17/94	549	944
158 SPONSORED BY: Black					
DIGEST: amending the Code by authorizing a multi-way stop at Kingsley Drive and 49th Street (District 6)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	11/14/94	11/17/94	589	949
159 SPONSORED BY: Williams					
DIGEST: amending the Code by authorizing no parking restrictions on Capitol Avenue from Sixteenth Street to Twenty-first Street (District 22)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	11/14/94	11/17/94	614	950
160 SPONSORED BY: McClamroch					
DIGEST: recodifying and amending the Code, Article II, Administration and Enforcement, Chapter 8, Buildings and Construction					
REFERRED TO: Metropolitan Development Committee					
	Adopted	11/28/94	12/09/94	361	977

# 1994 GENERAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
161 SPONSORED BY: West					
DIGEST: amending the Revised Code to terminate the Public Housing Division as a division of the Department of Metropolitan Development and establish a new Public Housing Agency.					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	11/28/94	12/01/94	396	1011
162 SPONSORED BY: McClamroch					
DIGEST: amending the Rules of Council with respect to public hearings on requests for additional appropriations					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	11/28/94	12/01/94	603	1022
163 SPONSORED BY: Coughenour					
DIGEST: amending the Code by changing the provision of solid waste collection and disposal services for multi-family residences					
REFERRED TO: Public Works Committee					
	Adopted	11/28/94	12/01/94	612	1022
164 SPONSORED BY: Schneider, Rhodes					
DIGEST: amending the Code by authorizing a traffic signal at 86th Street and Haverstick Road (Districts 3, 7)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	526	1067
165 SPONSORED BY: Brents					
DIGEST: amending the Code by authorizing a passenger and material loading zone for One Penn Partners on Washington Street (District 16)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	531	1070
166 SPONSORED BY: Coughenour					
DIGEST: amending the Code by authorizing stop signs for the Maple Glen subdivision (District 24)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	638	1072
167 SPONSORED BY: Gray					
DIGEST: amending the Code by authorizing stop signs for Guion Lakes subdivision (District 9)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	639	1073
168 SPONSORED BY: Dowden					
DIGEST: amending the Code by authorizing stop signs for the Shadow Ridge subdivision (District 4)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	640	1074



# 1994 GENERAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
169 SPONSORED BY: Gilmer					
DIGEST: amending the Code by authorizing intersection controls for Liberty Creek subdivision (District 1)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	641	1074
170 SPONSORED BY: Gilmer					
DIGEST: amending the Code by authorizing a multi-way stop at the Moore Road and 88th Street (District 1)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	642	1076
171 SPONSORED BY: Moriarty Adams					
DIGEST: amending the Code by authorizing a multi-way stop at 13th Street and Downey Avenue (District 15)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	643	1073
172 SPONSORED BY: Beadling					
DIGEST: amending the Code by authorizing a multi-way stop at County Line Road East and 56th Street (District 5)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	644	1077
173 SPONSORED BY: Giffin					
DIGEST: amending the Code by authorizing a multi-way stop at Waldemere Avenue and Chelsea Road (District 19)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	645	1077
174 SPONSORED BY: Giffin					
DIGEST: amending the Code by authorizing a multi-way stop at Burke Street and Conaroe Street (District 19)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	646	1078
175 SPONSORED BY: Jimison					
DIGEST: amending the Code by authorizing a multi-way stop at Layman Avenue, 40th Street and Ritter Avenue (District 14)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	647	1078
176 SPONSORED BY: Gray					
DIGEST: amending the Code authorizing a multi-way stop at Arabian Run and West 48th Street (District 9)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	648	1079
177 SPONSORED BY: Short					
DIGEST: amending the Code by authorizing stop signs at Legrande Avenue and Hobart Road and at Legrande Avenue and Nolan Avenue (District 21)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	649	1079

# 1994 GENERAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
178 SPONSORED BY: O'Dell, Smith					
DIGEST: amending the Code by authorizing a multi-way stop at Ritter Avenue, Connection Avenue and Troy Avenue (Districts 13, 23)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	650	1080
179 SPONSORED BY: Moriarty Adams					
DIGEST: amending the Code by authorizing a multi-way stop at Bancroft Avenue and Walnut Street (District 15)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	670	1080
180 SPONSORED BY: Williams					
DIGEST: amending the Code by authorizing parking restrictions for College Avenue, on the westside, from 11th Street to 700' north of 11th Street (District 22)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	652	1081
181 SPONSORED BY: Shambaugh					
DIGEST: amending the Code by authorizing parking restrictions on Bayhead Drive from 34th Street to 38th Street (District 8)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	653	1081
182 SPONSORED BY: Golc					
DIGEST: amending the Code by authorizing parking restrictions on Ohio Street, on the southside, from Bellview Place to Mount Street; and on Mount Street, on the westside, from Ohio Street to 215 feet south of Ohio Street (District 17)					
REFERRED TO: Capital Asset Management Committee					
	Adopted	12/12/94	12/15/94	654	1082



# 1994 FISCAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
1 SPONSORED BY: Dowden, Moriarty					
DIGEST: appropriating \$67,375 for the Prosecuting Attorney to cover the salary of the Executive Director of the Family Advocacy Center funded by a state grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	01/10/94	01/18/94	686, 1993	12
2 SPONSORED BY: Rhodes					
DIGEST: appropriating \$165,549 for Voters Registration to restore 1994 budget to election level by increasing Characters 01, 02, 03 and 04					
REFERRED TO: Administration and Finance Committee					
	Adopted	02/14/94	02/22/94	23	78
3 SPONSORED BY: Rhodes					
DIGEST: appropriating \$3,059,900 for the Department of Administration, Indianapolis Fleet Services Division, to purchase replacement vehicles for its fleet					
REFERRED TO: Administration and Finance Committee					
	Adopted	02/28/94	03/07/94	22	105
4 SPONSORED BY: Rhodes					
DIGEST: appropriating \$652,500 for the Department of Administration, Administrative Services Division, to finance the Neighborhood Revitalization Initiative program funded by private foundation grants					
REFERRED TO: Administration and Finance Committee					
	Adopted	03/21/94	03/28/94	71	155
5 SPONSORED BY: Dowden					
DIGEST: appropriating \$66,000 for Metropolitan Emergency Communications Agency to fund shortfall in its 1994 budget caused by conversion from City to County payroll and to cover increase in data circuit charges					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	03/21/94	03/28/94	113	156
6 SPONSORED BY: Borst					
DIGEST: appropriating \$30,000 for Forensic Services Agency to cover supplies and equipment to train an Arab police examiner in DNA analysis funded by Abu Dhabi and deposited in the County General Fund last year					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	03/21/94	03/28/94	115	157
7 SPONSORED BY: Dowden					
DIGEST: transferring and appropriating \$2,073,000 for the Department of Public Safety, Police Division, to consolidate 1994 cumulative capital funds in Character 04 to purchase police patrol vehicles					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	03/21/94	03/28/94	112	160

# 1994 FISCAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
8 SPONSORED BY: Moriarty Adams					
DIGEST: appropriating \$15,444 for the Presiding Judge of the Municipal Court to replace equipment taken through creation of the new Public Defender Agency					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	04/11/94	Not Req.	148	194
9 SPONSORED BY: Mullin					
DIGEST: appropriating \$24,000 for the Prosecuting Attorney to utilize a state grant to organize a series of anti-gang training workshops for law enforcement agencies sponsored by Project COURAGE					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	04/11/94	04/20/94	150	195
10 SPONSORED BY: Mullin					
DIGEST: appropriating \$75,000 for the Prosecuting Attorney to conduct a comprehensive traffic safety program in Marion County funded by a state grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	04/11/94	04/20/94	151	196
11 SPONSORED BY: Dowden					
DIGEST: transferring and appropriating \$2,500 for the Superior Court, Criminal Division, Room Five, to cover 1994 maintenance agreement costs					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	04/11/94	Not Req.	149	200
12 SPONSORED BY: Ruhmkorff					
DIGEST: appropriating \$173,257 for the County Recorder to purchase additional terminals and upgrade computer system					
REFERRED TO: Metropolitan Development Committee					
	Adopted	04/25/94	Not Req.	139	225
13 SPONSORED BY: O'Dell					
DIGEST: appropriating \$190,000 for the Department of Parks and Recreation, Natural Resources Division, to cover the charges to repair roofs on thirteen buildings at several park locations					
REFERRED TO: Parks and Recreation Committee					
	Adopted	04/25/94	04/29/94	201	230
14 SPONSORED BY: Dowden					
DIGEST: appropriating \$1,587,374 for the Department of Public Safety, Police Division, to complete its capital projects					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	04/25/94	04/29/94	215	231
15 SPONSORED BY: Coughenour					
DIGEST: approving reductions in proposed expenditures since the adoption of the 1994 City-County Annual Budget for the Department of Public Works, Wastewater Management Division, in the amount of \$1,092,579					
REFERRED TO: Public Works and Capital Asset Management Committee					
	Adopted	04/25/94	04/29/94	203	233



# 1994 FISCAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
16 SPONSORED BY: Coughenour					
DIGEST: transferring and appropriating \$109,541 for the Department of Public Works (DPW), Wastewater Management Division, to cover certain administrative staff positions, supplies and contractual services from DPW, Maintenance Operations Division					
REFERRED TO: Public Works and Capital Asset Management Committee					
	Adopted	04/25/94	04/29/94	204	233
17 SPONSORED BY: Coughenour					
DIGEST: appropriating \$192,932 for the Department of Public Works, Maintenance Operations Division, to cover sewer maintenance supplies budgeted in 1993 but not utilized due to year-end closing					
REFERRED TO: Public Works and Capital Asset Management Committee					
	Adopted	04/25/94	04/29/94	205	234
18 SPONSORED BY: Coughenour					
DIGEST: appropriating \$53,792 for the Department of Public Works, Maintenance Operations Division, to reflect funds not transferred to the Opportunity Fund during the 1994 budget hearing process					
REFERRED TO: Public Works and Capital Asset Management Committee					
	Adopted	04/25/94	04/29/94	206	235
19 SPONSORED BY: Coughenour					
DIGEST: appropriating \$1,000 for the Department of Public Works, Maintenance Operations Division, to restore a portion of Maintenance Operations General Fund not transferred to Opportunity Fund during 1994 budget hearing process					
REFERRED TO: Public Works and Capital Asset Management Committee					
	Adopted	04/25/94	04/29/94	207	235
20 SPONSORED BY: Coughenour					
DIGEST: appropriating \$79,950 for the Department of Public Works, Maintenance Operations Division, to reflect funds not transferred to the Opportunity Fund during 1994 budget hearing process					
REFERRED TO: Public Works and Capital Asset Management Committee					
	Adopted	04/25/94	04/29/94	208	236
21 SPONSORED BY: Coughenour					
DIGEST: transferring and appropriating \$40,000 for the Department of Public Works, Environmental Resources Management Division, to pay its portion of administrative overhead					
REFERRED TO: Public Works and Capital Asset Management Committee					
	Adopted	04/25/94	04/29/94	209	236
22 SPONSORED BY: Coughenour					
DIGEST: transferring and appropriating \$92,075 for the Department of Public Works, Environmental Resources Management Division, to provide for additional contractual support for environmental sampling and effluent monitoring					
REFERRED TO: Public Works and Capital Asset Management Committee					
	Adopted	04/25/94	04/29/94	210	237

# 1994 FISCAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
23 SPONSORED BY: Coughenour					
DIGEST: transferring and appropriating \$4,277,471 for the Department of Public Works, Wastewater Management Division, and reducing appropriations by \$14,443,571 for that division to reflect in its budget the White River Environmental Partnership contract management of the Advanced Wastewater Treatment plants					
REFERRED TO: Public Works and Capital Asset Management Committee					
	Adopted	04/25/94	04/29/94	211	238
24 SPONSORED BY: Gilmer					
DIGEST: approving reductions in proposed expenditures since the adoption of the 1994 City-County Annual Budget for the Department of Public Works, Solid Waste Management Division, in the amount of \$1,555,000					
REFERRED TO: Public Works and Capital Asset Management Committee					
	Adopted	04/25/94	04/29/94	212	239
25 SPONSORED BY: Gilmer					
DIGEST: approving reductions in proposed expenditures since the adoption of the 1994 City-County Annual Budget for the Department of Public Works, Solid Waste Management Division, in the amount of \$1,136,055					
REFERRED TO: Public Works and Capital Asset Management Committee					
	Adopted	04/25/94	04/29/94	213	240
26 SPONSORED BY: Gilmer					
DIGEST: transferring and appropriating \$200,000 for the Department of Capital Asset Management, Asset Management Division, to provide for greater contractual sewer maintenance					
REFERRED TO: Public Works and Capital Asset Management Committee					
	Adopted	04/25/94	04/29/94	216	240
27 SPONSORED BY: Gilmer					
DIGEST: appropriating \$7,000,000 for the Department of Capital Asset Management, Asset Management Division, to provide for capital improvements to Advanced Wastewater Treatment plants and for sewer and drainage improvements to support the Capital Improvement Program					
REFERRED TO: Public Works and Capital Asset Management Committee					
	Adopted	04/25/94	04/29/94	217	241
28 SPONSORED BY: Gilmer					
DIGEST: appropriating \$1,092,579 for the Department of Capital Asset Management, Asset Management Division, to reflect in its budget the Sewer Wastewater Management Facilities Engineering operating budget and \$250,000 for emergency sewer repair					
REFERRED TO: Public Works and Capital Asset Management Committee					
	Adopted	04/25/94	04/29/94	218	241



# 1994 FISCAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
29 SPONSORED BY: Gilmer					
DIGEST: approving reductions in proposed expenditures from the Flood Control General Fund for the Department of Capital Asset Management, Asset Management Division, in the amount of \$1,000					
REFERRED TO: Public Works and Capital Asset Management Committee					
	Adopted	04/25/94	04/29/94	219	242
30 SPONSORED BY: Gilmer					
DIGEST: approving reductions in proposed expenditures from the Transportation General Fund for the Department of Capital Asset Management, Asset Management Division, in the amount of \$53,792					
REFERRED TO: Public Works and Capital Asset Management Committee					
	Adopted	04/25/94	04/29/94	220	242
31 SPONSORED BY: Gilmer					
DIGEST: approving reductions in proposed expenditures from the Sanitation General Fund for the Department of Capital Asset Management, Asset Management Division, in the amount of \$79,950					
REFERRED TO: Public Works and Capital Asset Management Committee					
	Adopted	04/25/94	04/29/94	221	243
32 SPONSORED BY: Gilmer					
DIGEST: appropriating \$1,555,000 for the Department of Capital Asset Management, Asset Management Division, to establish a lagoon cleaning project					
REFERRED TO: Public Works and Capital Asset Management Committee					
	Adopted	04/25/94	04/29/94	222	243
33 SPONSORED BY: Dowden					
DIGEST: transferring and appropriating \$400 for the Superior Court, Title IV-D Court, to purchase an IRMA Board to install in a personal computer in the office					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	04/25/94	Not Req.	202	297
34 SPONSORED BY: Rhodes					
DIGEST: appropriating \$137,209 for the Information Services Agency to consolidate City-County government data circuit management under its administration					
REFERRED TO: Administration and Finance Committee					
	Adopted	05/09/94	05/12/94	237	307
35 SPONSORED BY: Dowden					
DIGEST: appropriating \$8,903 for the Superior Court, Civil Division, Room Four, to pay the National Center for State Courts for a management review of the Family Law Courts in Marion County					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	05/09/94	05/12/94	244	359

# 1994 FISCAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
36 SPONSORED BY: O'Dell					
DIGEST: appropriating \$3,850,509 for the Marion County Office of Family and Children to pay the expenses of wards in institutions					
REFERRED TO: Community Affairs Committee					
	Adopted	05/23/94	Not Req.	200	382
37 SPONSORED BY: Dowden					
DIGEST: appropriating \$73,650 for the Superior Court, Criminal Division, Probation Department, to utilize a federal grant to computerize the department					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	05/23/94	05/27/94	280	383
38 SPONSORED BY: Dowden					
DIGEST: appropriating \$24,550 for the Superior Court, Criminal Division, Probation Department, to provide the 25% matching funds necessary for the federal grant awarded to the department to be used solely for computerization					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	05/23/94	05/25/94	281	384
39 SPONSORED BY: Dowden					
DIGEST: appropriating \$114,000 for the County Auditor to cover costs associated with preparing the Marion County Hazardous Materials Response Plan and providing the community with the Right-to-Know information					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	05/23/94	Not Req.	282	385
40 SPONSORED BY: Rhodes					
DIGEST: approving a new salary schedule for bi-weekly civilian employees					
REFERRED TO: Administration and Finance Committee					
	Adopted	05/23/94	05/25/94	108	427
41 SPONSORED BY: Rhodes					
DIGEST: transferring and appropriating \$2,768,358 for the Office of Youth and Family Services and appropriating \$10,962,505 for the Department of Administration, Workforce Development Division, to finance their 1994 budgets					
REFERRED TO: Administration and Finance Committee					
	Adopted	06/13/94	06/15/94	300	447
42 SPONSORED BY: Rhodes					
DIGEST: transferring and appropriating \$276,311 for the Office of the Controller, Revenue Enhancement Division, to finance its budget from July 1 through the end of the year and to purchase software and computer equipment					
REFERRED TO: Administration and Finance Committee					
	Adopted	06/13/94	06/15/94	301	449



# 1994 FISCAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
43 SPONSORED BY: West					
DIGEST: transferring and appropriating \$645,060 for the Department of Metropolitan Development, Planning Division, to fund federally-mandated transportation planning services, completion of neighborhood plans, implementation of economic development initiatives, and improvement of computer-aided systems and services					
REFERRED TO: Metropolitan Development Committee					
	Adopted	06/13/94	06/15/94	302	450
44 SPONSORED BY: West					
DIGEST: transferring and appropriating \$7,053,270 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to fund 1994 HOME and HOPE3 programs					
REFERRED TO: Metropolitan Development Committee					
	Adopted	06/13/94	06/15/94	303	451
45 SPONSORED BY: West					
DIGEST: appropriating \$479,277 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to fund the Unsafe Building Program and a parking study in Broad Ripple Village					
REFERRED TO: Metropolitan Development Committee					
	Adopted	06/13/94	06/15/94	304	452
46 SPONSORED BY: Dowden					
DIGEST: appropriating \$37,595 for the Marion County Justice Agency to support the Indianapolis Challenge project, which involves coordinating comprehensive approaches to issues and problems concerning alcohol, tobacco and other drug abuse and the related violence in Marion County					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	06/13/94	06/15/94	307	453
47 SPONSORED BY: Dowden					
DIGEST: transferring and appropriating \$400 for the Superior Court, Title IV-D Court, to purchase an IRMA Board, and repealing Fiscal Ordinance No. 33, 1994					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	06/13/94	Not Req.	305	458
48 SPONSORED BY: Golc					
DIGEST: transferring and appropriating \$2,821 for the Marion County Drug Court to purchase five computer terminals					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	06/13/94	06/15/94	306	459
49 SPONSORED BY: Dowden					
DIGEST: appropriating \$866,054 in the State and Federal Grants Fund for Community Corrections to cover operational expenses for fiscal year 1994-95					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	06/27/94	06/29/94	331	471

# 1994 FISCAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
50 SPONSORED BY: Dowden					
DIGEST: appropriating \$199,877 in the State and Federal Grants Fund for Community Corrections to continue the Craine House Family Living Program for fiscal year 1994-95					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	06/27/94	06/29/94	332	471
51 SPONSORED BY: Dowden					
DIGEST: appropriating \$73,927 in the State and Federal Grants Fund for Community Corrections to continue the Juvenile Intensive Probation Services program for fiscal year 1994-95					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	06/27/94	06/29/94	333	472
52 SPONSORED BY: Dowden					
DIGEST: appropriating \$42,000 in the State and Federal Grants Fund for Community Corrections to pay Project Courage's executive director's salary for fiscal year 1994-95					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	06/27/94	06/29/94	334	473
53 SPONSORED BY: Dowden					
DIGEST: appropriating \$180,221 in the Home Detention User Fee Fund for Community Corrections to cover operational expenses for fiscal year 1994-95					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	06/27/94	06/29/94	335	473
54 SPONSORED BY: Dowden					
DIGEST: transferring and appropriating \$4,000 in the Home Detention User Fee Fund for the County Auditor to pay personal services fringes for Community Corrections for the remainder of the fiscal year					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	06/27/94	06/29/94	336	476
55 SPONSORED BY: Rhodes					
DIGEST: appropriating \$199,600 in the County General Fund for the County Coroner to contract with University Clinical Pathology Associates to perform forensic pathology services, to include toxicology and histology work at their facilities					
REFERRED TO: Administration and Finance Committee					
	Adopted	07/11/94	07/14/94	276	511
56 SPONSORED BY: West					
DIGEST: an appropriation to operate the Marion County Section Eight Subsidy Program by making the Housing Assistance Payments for eligible Section Eight families and paying the administrative expenses associated with the program for the Department of Metropolitan Development, Public Housing Division, from the HUD Section 8 Special Revenue Fund in the amount of \$11,416,185 financed by revenues from the HUD Section Eight Subsidy Grant					
REFERRED TO: Metropolitan Development Committee					
	Adopted	07/11/94	07/14/94	358	514



# 1994 FISCAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
57 SPONSORED BY: West					
DIGEST: an appropriation to support the Low Income Public Housing Program which covers salaries, materials, and utility expenses for the rehabilitation of the vacant units located at various locations for the Department of Metropolitan Development, Public Housing Division, from the Indianapolis Housing Authority Fund in the amount of \$1,471,147 financed by additional HUD contributions					
REFERRED TO: Metropolitan Development Committee					
	Adopted	07/11/94	07/14/94	359	515
58 SPONSORED BY: Dowden					
DIGEST: an appropriation to establish the Marion County Traffic Safety Partnership which will fund drunk driving law enforcement activities, including roadblocks, saturation patrols and public awareness for the Prosecuting Attorney from the State and Federal Grants Fund in the amount of \$110,000 financed by a federal grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	07/11/94	07/14/94	363	520
59 SPONSORED BY: Dowden					
DIGEST: an appropriation to provide Adult Protective Services for fiscal year 1994-95 for the Prosecuting Attorney from the State and Federal Grants Fund in the amount of \$88,770 financed by a state grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	07/11/94	07/14/94	364	521
60 SPONSORED BY: Dowden					
DIGEST: transferring and appropriating \$77,000 for the following purposes: (1) for the Marion County Justice Agency to pay the salaries associated with the responsibility of eligibility screening for defendants processed through Pre Trial Services, and (2) for the Court Administrator Agency to make payments for psychiatric services and pro se post conviction relief transcripts					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	07/11/94	07/14/94	367	522
61 SPONSORED BY: Curry					
DIGEST: an appropriation to cover one part-time employee salary, IMAGIS update, and office rearrangement expenses for the Lawrence Township Assessor from the Property Reassessment Fund in the amount of \$22,000 financed by unappropriated property tax revenues of the Property Reassessment Fund					
REFERRED TO: Administration and Finance Committee					
	Adopted	07/11/94	Not Req.	356	526
62 SPONSORED BY: Golc					
DIGEST: appropriating \$47,543 in the County General Fund for the Presiding Judge of the Municipal Court to upgrade staff and equipment in order to be included in the Superior Civil case rotation--this appropriation will cover the salaries of 3 part-time commissioners and 3 full-time court reporters and the purchase of 3 recording machines					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	08/08/94	Not Req.	330	551

# 1994 FISCAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
63 SPONSORED BY: Dowden					
DIGEST: transferring and appropriating \$4,000 for the Superior Court, Juvenile Division/Detention Center to purchase strategic planning supplies					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	08/08/94	Not Req.	366	592
64 SPONSORED BY: Dowden					
DIGEST: an appropriation to purchase a computer for the Department of Public Safety, Weights and Measures Division, from the Consolidated County Fund in the amount of \$3,100 financed by a transfer between characters in the Consolidated County Fund					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	08/08/94	08/12/94	399	597
65 SPONSORED BY: Dowden					
DIGEST: an appropriation to fund a certified substance abuse program in the Community Corrections Jail Component for Community Corrections from the Home Detention User Fee Fund in the amount of \$11,400 financed by unspent 1993-94 Home Detention User Fees					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	08/08/94	08/12/94	401	597
66 SPONSORED BY: Borst					
DIGEST: an appropriation to purchase necessary chemicals, supplies and reagents to provide urinalysis, drug and latent print services for the remainder of the year for the Forensic Services Agency from the County General Fund in the amount of \$60,000 financed by a transfer between characters in the County General Fund					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	08/08/94	08/12/94	402	599
67 SPONSORED BY: Dowden					
DIGEST: an appropriation to allocate accumulated fees from the Moving Traffic Deferral Program for the County Auditor, Prosecuting Attorney, County Sheriff and the Presiding Judge of the Municipal Court from the Deferral Program Fee Fund in the amount of \$188,920 financed by revenues from Uniform Traffic Tickets					
PUBLIC HEARING: August 22, 1994					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	08/22/94	Not Req.	365	621
68 SPONSORED BY: Rhodes, Coughenour					
DIGEST: an appropriation to pay for data entry overtime and an extension of RW Armstrong's contract to cleanup and update the Geographic Information System (GIS) files for the Perry Township Assessor from the Property Reassessment Fund in the amount of \$21,515 financed by unappropriated property tax revenues of the Property Reassessment Fund					
REFERRED TO: Administration and Finance Committee					
	Adopted	08/22/94	Not Req.	393	623



# 1994 FISCAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
69 SPONSORED BY: Giffin					
DIGEST: an appropriation to transfer funds to the City of Beech Grove to develop park and recreation facilities by the Department of Parks and Recreation from the Park Land Fund in the amount of \$350,000 financed by revenues from previous sales of Department of Parks and Recreation land					
REFERRED TO: Parks and Recreation Committee					
	Adopted	08/22/94	08/25/94	398	624
70 SPONSORED BY: Dowden					
DIGEST: an appropriation to continue various programs for the diversion of misdemeanor populations from their penal facilities for the County Auditor, County Sheriff, Community Corrections, and the Marion County Justice Agency from the County Corrections Fund in the amount of \$294,000 financed by revenues from a state grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	08/22/94	08/25/94	400	625
71 SPONSORED BY: O'Dell					
DIGEST: an appropriation to pay the expenses of wards in institutions for the Marion County Office of Family and Children from the Welfare General Fund in the amount of \$4,278,082 financed by revenues from federal reimbursements under Title IV-A and IV-E received in excess of the original amount budgeted					
REFERRED TO: Community Affairs Committee					
	Adopted	08/22/94	08/25/94	429	626
72 SPONSORED BY: Dowden					
DIGEST: an appropriation to purchase a computer and printer and to attend an out-of-state judicial seminar for the Superior Court, Criminal Division, Room Four, from the County General Fund in the amount of \$2,824 financed by a transfer between characters in that fund					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	08/22/94	Not Req.	435	630
73 SPONSORED BY: Dowden					
DIGEST: an appropriation to cover contract photocopying services for the Superior Court, Criminal Division, Probation Department, from the Supplemental Adult Probation Fees Fund in the amount of \$2,500 financed by a transfer between characters in that fund					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	08/22/94	08/25/94	442	631
74 SPONSORED BY: McClamroch					
DIGEST: an appropriation from the Cumulative Capital Development Fund in the amount of \$316,000 to pay jail rent for the County Sheriff funded by reducing appropriations for the County Sheriff and the Court Administrator Agency					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	09/12/94	09/15/94	436	644

# 1994 FISCAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
75 SPONSORED BY: Dowden					
DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$60,000 to pay overtime to officers working Project 55 for the County Sheriff financed by revenues from a state grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	09/12/94	09/15/94	437	645
76 SPONSORED BY: Dowden					
DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$9,830 to pay for personnel services for the Julian Center for the Marion County Justice Agency financed by revenues from a federal grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	09/12/94	09/15/94	438	646
77 SPONSORED BY: Dowden					
DIGEST: an appropriation from the Drug Free Community Fund in the amount of \$564,773 to provide various criminal justice, treatment and education programs promoting comprehensive local alcohol, tobacco and drug abuse prevention initiatives for the Marion County Justice Agency financed by unappropriated revenues					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	09/12/94	09/15/94	439	647
78 SPONSORED BY: Dowden					
DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$445,140 to pay salaries and other costs associated with law enforcement officers participating in the multi-jurisdictional pursuit of illegal drug activities for the County Auditor, Prosecuting Attorney, County Sheriff, and Marion County Justice Agency financed by revenues from a state grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	09/12/94	09/15/94	440	648
79 SPONSORED BY: Dowden					
DIGEST: an appropriation from the Supplemental Adult Probation Fees Fund in the amount of \$16,000 to fund increased telephone expenses and urine processing fees and to cover expenditures concerning office security, office operations and other special needs for the Superior Court, Criminal Division, Probation Department, financed by unappropriated revenues					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	09/12/94	09/15/94	441	649



# 1994 FISCAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
80 SPONSORED BY: Coughenour, Gilmer					
DIGEST: an appropriation from the Sanitation General Fund, Flood Control General Fund, Transportation General Fund and the Maintenance Operations General Fund in the amount of \$4,105,087 to fund the competitive bid process for the Department of Public Works (DPW), Maintenance Operations Division, financed by transfers from the Sanitation General Fund, the Flood Control General Fund, and the Transportation General Fund within the Department of Capital Asset Management, Asset Management Division, and by contract revenues from DPW, Maintenance Operations Division's, Maintenance Operations General Fund					
REFERRED TO: Public Works Committee					
	Adopted	09/12/94	09/15/94	483	650
81 SPONSORED BY: Rhodes					
DIGEST: an appropriation to pay for future contracts and consultant fees for competitive bid projects for the Department of Administration, Indianapolis Fleet Services Division, from the Consolidated County Fund in the amount of \$120,000 financed by a transfer within the division's budget					
REFERRED TO: Administration and Finance Committee					
	Adopted	09/12/94	09/15/94	478	653
82 SPONSORED BY: Dowden					
DIGEST: an appropriation to cover miscellaneous and copier expenses for the Superior Court, Title IV-D Court, from the County General Fund in the amount of \$1,000 financed by a transfer within the court's budget					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	09/12/94	09/15/94	482	654
83 SPONSORED BY: McClamroch					
DIGEST: an appropriation to cover short-term IPD and IFD needs and to help cover the unfunded future liabilities of IPD and IFD Pensions for the Office of the Controller from the Sanitation PILOT Reserve Fund in the amount of \$4,400,000 financed by revenues from that fund					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	09/28/94	09/29/94	479	684
84 SPONSORED BY: McClamroch					
DIGEST: the annual budget for the Public Housing Division for 1995					
REFERRED TO: Metropolitan Development Committee					
	Adopted	09/28/94	09/29/94	459	720
85 SPONSORED BY: McClamroch					
DIGEST: the annual budget of the Revenue Bonds Debt Service Funds for 1995					
REFERRED TO: Administration and Finance Committee					
	Adopted	09/28/94	09/29/94	460	723

# 1994 FISCAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
86 SPONSORED BY: O'Dell					
DIGEST: the annual budget for the Marion County Office of Family and Children for 1995					
REFERRED TO: Community Affairs Committee					
	Adopted	09/28/94	09/29/94	461	731
87 SPONSORED BY: McClamroch					
DIGEST: the annual budget for the Metropolitan Emergency Communications Agency for 1995					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	09/28/94	09/29/94	462	741
88 SPONSORED BY: McClamroch					
DIGEST: the annual budget for Indianapolis and Marion County for 1995					
REFERRED TO: Various Committee					
	Adopted	09/28/94	09/29/94	463	749
89 SPONSORED BY: O'Dell					
DIGEST: an appropriation to pay salary and wages for the remainder of the year for the Marion County Healthcare Center from the County General Fund in the amount of \$350,000 financed by a transfer between characters in that fund					
REFERRED TO: Community Affairs Committee					
	Adopted	09/28/94	09/29/94	428	846
90 SPONSORED BY: Dowden					
DIGEST: an appropriation to make technical corrections to F.O. 67, 1994 which authorized appropriations to the Prosecuting Attorney, County Sheriff, County Auditor and Presiding Judge of the Municipal Court from fees generated in the Deferral Program Fee Fund					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	09/28/94	Not Req.	517	852
91 SPONSORED BY: Franklin					
DIGEST: an appropriation to pay for the Visiting Nurse Service as part of its Family Connection Center Program for the Domestic Relations section of the Court Administrator Agency from the State and Federal Grants Fund in the amount of \$25,600 financed by revenues from a state grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	10/17/94	10/20/94	518	867
92 SPONSORED BY: Rhodes					
DIGEST: an appropriation from the Property Reassessment Fund in the amount of \$786 to pay for necessary moving expenses for the Franklin Township Assessor financed by transferring other appropriations for that agency					
REFERRED TO: Administration and Finance Committee					
	Adopted	10/17/94	10/20/94	547	895



# 1994 FISCAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
93 SPONSORED BY: Dowden					
DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$13,950 to purchase supplies and Department Case Management Software for the Superior Court, Criminal Division, Probation Department, financed by transferring other appropriations for that agency					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	10/17/94	10/20/94	550	896
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94 SPONSORED BY: Franklin					
DIGEST: an appropriation from the County General Fund in the amount of \$708 for the Superior Court, Criminal Division, Room Two, to pay for lease and maintenance expenses of copier equipment financed by transferring other appropriations for that court					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	10/17/94	Not Req.	551	897
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95 SPONSORED BY: West					
DIGEST: an appropriation from the Metropolitan Development General Fund in the amount of \$200,000 to pay for the development of the official reuse plan for Fort Benjamin Harrison financed by unappropriated revenues					
REFERRED TO: Metropolitan Development Committee					
	Adopted	11/01/94	11/04/94	548	923
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96 SPONSORED BY: Rhodes					
DIGEST: an appropriation from the County General Fund in the amount of \$75,000 for technical assistance for maintaining service levels for the Information Services Agency financed by transferring other appropriations for that agency					
REFERRED TO: Administration and Finance Committee					
	Adopted	11/01/94	11/04/94	573	926
-----					
97 SPONSORED BY: Franklin					
DIGEST: an appropriation from the County General Fund in the amount of \$1,100 to pay for a new computer for the Superior Court, Criminal Division, Room Five, financed by transferring other appropriations for that court					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	11/01/94	Not Req.	576	929
-----					
98 SPONSORED BY: Dowden					
DIGEST: appropriating \$470,000 for the Sheriff to cover food expense for the jail inmates through the end of the year and to pay for inmate housing at the Riverside Community Corrections facility					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	11/14/94	Not Req.	243	941
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# 1994 FISCAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
99 SPONSORED BY: Dowden					
DIGEST: an appropriation from the County General Fund in the amount of \$37,678 to pay for miscellaneous contractual amounts for the County Sheriff financed by transferring other appropriations for that department					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	11/14/94	Not Req.	579	942
100 SPONSORED BY: Dowden					
DIGEST: an appropriation from the Drug Free Community Fund in the amount of \$43,900 to pay county employee salaries and fringes rather than contractors by the Marion County Justice Agency financed by transferring other appropriations for that agency					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	11/14/94	11/17/94	608	947
101 SPONSORED BY: Dowden					
DIGEST: an appropriation from the Drug Free Community Fund in the amount of \$20,038 to reimburse I-Challenge for its Executive Director's salary and fringes by the Marion County Justice Agency financed by transferring other appropriations for that agency					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	11/14/94	11/17/94	609	948
102 SPONSORED BY: Dowden					
DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$44,830 for the continued operation of the Victim Assistance Program for the County Sheriff financed by a state grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	11/28/94	12/01/94	577	961
103 SPONSORED BY: Dowden					
DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$22,119 for the continued operation of the Child Abuse Intervention Program for the County Sheriff financed by a state grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	11/28/94	12/01/94	578	962
104 SPONSORED BY: Dowden					
DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$365,000 to pay for the continuation of a comprehensive traffic safety program in Marion County for the Prosecuting Attorney financed by a federal grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	11/28/94	12/01/94	580	963
105 SPONSORED BY: Dowden					
DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$122,759 for the continuation of the Victim Witness Program through the Prosecuting Attorney financed by a state grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	11/28/94	12/01/94	581	964



# 1994 FISCAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
106 SPONSORED BY: Dowden					
DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$28,454 to pay for the continuation of Salvation Army's Domestic Violence Program through the Prosecuting Attorney financed by a state grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	11/28/94	12/01/94	582	965
107 SPONSORED BY: Dowden					
DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$7,385 for the continuation of Adult Protective Services through the Prosecuting Attorney financed by a state grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	11/28/94	12/01/94	583	965
108 SPONSORED BY: Dowden					
DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$109,094 to study sentencing alternatives for drunk drivers for the Prosecuting Attorney financed by a state grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	11/28/94	12/01/94	584	966
109 SPONSORED BY: Dowden					
DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$521,656 for the Community Corrections Agency financed by a state grant for home detention services for the Juvenile Division of the Superior Court					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	11/28/94	12/01/94	585	967
110 SPONSORED BY: Rhodes					
DIGEST: authorizing tax anticipation borrowing for the City during the period from January 1, 1995 through December 31, 1995					
REFERRED TO: Administration and Finance Committee					
	Adopted	11/28/94	12/01/94	624	968
111 SPONSORED BY: Rhodes					
DIGEST: authorizing tax anticipation borrowing for the County General Fund and the County Family and Children Fund during the period from January 1, 1995 through December 31, 1995					
REFERRED TO: Administration and Finance Committee					
	Adopted	11/28/94	12/01/94	625	973
112 SPONSORED BY: Rhodes					
DIGEST: approves reductions in proposed expenditures since the adoption of the 1994 City-County Annual Budget in the amount of \$2,092,292					
REFERRED TO: Administration and Finance Committee					
	Adopted	11/28/94	12/01/94	626	1025

# 1994 FISCAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
113 SPONSORED BY: Rhodes					
DIGEST: an appropriation from the County General Fund in the amount of \$16,826 for the County Coroner to fund unexpected "buy out" expenses of terminated employees necessitated by the agency's contracting out of forensic services financed by transferring other appropriations for that agency					
REFERRED TO: Administration and Finance Committee					
	Adopted	11/28/94	Not Req.	629	1026
114 SPONSORED BY: Rhodes					
DIGEST: an appropriation from the Property Reassessment Fund in the amount of \$8,107 for the Washington Township Assessor to place funds in the correct character for anticipated expenditures financed by transferring other appropriations for that agency					
REFERRED TO: Administration and Finance Committee					
	Adopted	11/28/94	12/01/94	630	1027
115 SPONSORED BY: West					
DIGEST: an appropriation from the HUD Section 8 Special Revenue Fund in the amount of \$205,000 for the Department of Metropolitan Development, Public Housing Division, to hire additional staff and to purchase the necessary office equipment financed by transferring other appropriations for that division					
REFERRED TO: Metropolitan Development Committee					
	Adopted	11/28/94	12/01/94	631	1028
116 SPONSORED BY: Franklin					
DIGEST: an appropriation from the County General Fund in the amount of \$6,372 to fund an additional clerk's position for the Superior Court, Criminal Division, Room Five, financed by unappropriated revenues from that fund					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	12/12/94	Not Req.	26	1052
117 SPONSORED BY: Dowden					
DIGEST: an appropriation from the County General Fund in the amount of \$93,628 for the County Sheriff to pay for inmate food and housing through the end of 1994 financed by unappropriated revenues in the County General Fund					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	12/12/94	Not Req.	605	1053
118 SPONSORED BY: Dowden					
DIGEST: an appropriation from the Deferral Program Fee Fund in the amount of \$242,057 for the County Auditor, County Sheriff, Presiding Judge of the Municipal Court and the Prosecuting Attorney financed by Moving Traffic Deferral Fees collected for the period between March and August 1994					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	12/12/94	Not Req.	606	1057



# 1994 FISCAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
119 SPONSORED BY: Dowden					
DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$6,812 to utilize an increase in the Family Social Services Administration grant for fiscal year 1994-95 which provides Adult Protective Services through the Prosecuting Attorney financed by a state grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	12/12/94	12/15/94	607	1059
120 SPONSORED BY: Dowden					
DIGEST: an appropriation from the Home Detention User Fee Fund in the amount of \$245,130 to fund staff positions, home detention equipment and office supplies for fiscal year 1994-95 for Community Corrections financed by unappropriated revenues from that fund					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	12/12/94	12/15/94	611	1060
121 SPONSORED BY: Dowden					
DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$45,000 for the Marion County Public Defender Agency to cover the expenses of the pretrial release and sentencing resources project financed by a state grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	12/12/94	12/15/94	635	1061
122 SPONSORED BY: Dowden					
DIGEST: an appropriation from the County General Fund in the amount of \$150,000 for the County Sheriff to fund the last payroll in 1994 financed by transferring appropriated funds from the Clerk of the Circuit Court					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	12/12/94	Not Req.	674	1062
123 SPONSORED BY: Dowden					
DIGEST: an appropriation from the State and Federal Grants Fund in the amount of \$71,350 for the Superior Court, Criminal Division, Probation Department, to fund additional staff and computer equipment financed by a state grant					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	12/12/94	12/15/94	675	1063
124 SPONSORED BY: Coughenour					
DIGEST: an appropriation from the Sanitation General Fund in the amount of \$2,132,806 for the Department of Public Works (DPW), Storm and Wastewater Management Division, to cover unanticipated expenses related to the transition to contract management of the Advanced Wastewater Treatment facility financed by equal reductions in DPW's Maintenance Operations Division and Solid Waste Management Division					
REFERRED TO: Public Works Committee					
	Adopted	12/12/94	12/15/94	676	1064

# 1994 FISCAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
125 SPONSORED BY: Coughenour					
DIGEST: approves reductions in proposed expenditures since the adoption of the 1994 City-County Annual Budget in the amount of \$1,221,916 in the Department of Public Works' (DPW), Maintenance Operations Division and Solid Waste Management Division in support of increased expenditures in DPW's Storm and Wastewater Management Division related to unanticipated expenses in the transition to contract management of the Advance Wastewater Treatment facility					
REFERRED TO: Public Works Committee					
	Adopted	12/12/94	12/15/94	677	1065
126 SPONSORED BY: Coughenour					
DIGEST: an appropriation from the Maintenance Operations General Fund and Consolidated County Fund in the amount of \$650,000 for the Department of Public Works, Maintenance Operations Division, to purchase capital equipment and supplies for the new customer service response team and the street and sewer maintenance area financed by transferring other appropriated funds from DPW's Maintenance Operations Division and Administration					
REFERRED TO: Public Works Committee					
	Adopted	12/12/94	12/15/94	678	1066
127 SPONSORED BY: Dowden					
DIGEST: an appropriation from the County General Fund in the amount of \$41,800 for the Court Administrator Agency to pay the expenses associated with maintaining current materials for the Law Library and courts and to purchase computer equipment for the Jury Pool Coordinator's Office and General Term Reporter financed by transferring other appropriations for that agency					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	12/12/94	12/15/94	636	1068
128 SPONSORED BY: Franklin					
DIGEST: an appropriation from the County General Fund in the amount of \$1,088 for the Superior Court, Criminal Division, Room Three, to pay for supplies through year-end 1994 financed by transferring other appropriations for that court					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	12/12/94	Not Req.	666	1069
129 SPONSORED BY: Jimison					
DIGEST: an appropriation from the County General Fund in the amount of \$2,000 for the Superior Court, Criminal Division, Room One, to cover the cost of supplies and stamps for the balance of 1994 and to purchase a fax machine financed by transferring other appropriations for that court					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	12/12/94	Not Req.	667	1070



## 1994 FISCAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
130 SPONSORED BY: Dowden					
DIGEST: an appropriation from the County General Fund in the amount of \$8,000 for the Marion County Public Defender Agency to purchase new computers financed by transferring other appropriations for that agency					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	12/12/94	12/15/94	668	1070
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131 SPONSORED BY: Dowden					
DIGEST: an appropriation from the County General Fund in the amount of \$2,180 for the Superior Court, Criminal Division, Room Six, to cover 1994 outstanding supply bills and to purchase supplies for Judge Carr Darden's replacement financed by transferring other appropriations for that court					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	12/12/94	Not Req.	634	1083
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# 1994 SPECIAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
1 SPONSORED BY: Borst					
DIGEST: approving the execution of document amendments relating to the previously-issued City of Indianapolis, Indiana Adjustable Rate Economic Development Revenue Bonds, Series 1991 (Cantor & Coleman II Project) and approving and authorizing other actions in respect thereto					
REFERRED TO: Economic Development Committee					
	Adopted	02/28/94	03/07/94	104	99
2 SPONSORED BY: Borst					
DIGEST: amending and supplementing Special Ordinance No. 14, 1993, relating to the issuance of City of Indianapolis, Indiana Multifamily Housing Revenue Bonds (Sunrise Apartments Project located at 4514 Candletree Circle) Series A, B and C in the total aggregate principal amount not to exceed \$6,000,000					
REFERRED TO: Economic Development Committee					
	Adopted	02/28/94	03/07/94	106	102
3 SPONSORED BY: Borst					
DIGEST: approving the issuance of City of Indianapolis, Indiana Tax-Exempt Adjustable Rate Economic Development Revenue Bonds (Herff Jones, Inc. Project) Series 1994 in an aggregate principal amount not to exceed \$4,100,000 (4500 West 62nd Street, District #9)					
REFERRED TO: Economic Development Committee					
	Adopted	03/21/94	03/28/94	135	140
4 SPONSORED BY: Coughenour					
DIGEST: approving an agreement between the City of Indianapolis and the Town of Speedway for sewage transportation and treatment services					
REFERRED TO: Public Works Committee					
	Adopted	04/11/94	04/20/94	156	201
5 SPONSORED BY: Coughenour					
DIGEST: approving an agreement between the City of Indianapolis and the City of Beech Grove to authorize Indianapolis to review and grant stormwater permits and enforce drainage regulation within the City of Beech Grove					
REFERRED TO: Public Works Committee					
	Adopted	04/11/94	04/20/94	157	204
6 SPONSORED BY: Borst					
DIGEST: authorizing one or more series of economic development revenue bonds in a total aggregate principal amount not to exceed \$1,465,000 for Enterprise Housing - Brookside, Inc. located at 1840 Perkins Avenue (District 21)					
REFERRED TO: Economic Development Committee					
	Adopted	04/25/94	04/29/94	236	226



# 1994 SPECIAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
7 SPONSORED BY: Giffin					
DIGEST: authorizing the issuance and sale of bonds of the City for the purpose of procuring funds to pay for the construction, reconstruction and repair of certain park facilities and appropriating an amount not to exceed \$6,700,000					
REFERRED TO: Parks and Recreation Committee					
	Adopted	05/09/94	05/12/94	242	310
8 SPONSORED BY: Borst					
DIGEST: approving the issuance of (i) City of Indianapolis, Indiana, Health Care Facilities Revenue Refunding Bonds (FHA Insured Mortgage--Regency Place of Castleton) Health Quest Realty XXI Issue Series 1994A in an amount not to exceed \$4,500,000, and (ii) City of Indianapolis, Indiana, Health Care Facilities Taxable Revenue Bonds (FHA Insured Mortgage--Regency Place of Castleton) Health Quest Realty XXI Issue Series 1994B in an amount not to exceed \$400,000 to finance a skilled nursing home facility located at 5226 East 82nd Street					
REFERRED TO: Economic Development Committee					
	Adopted	05/23/94	05/25/94	297	386
9 SPONSORED BY: Borst					
DIGEST: approving the execution of document amendments relating to the previously issued City of Indianapolis, Indiana Economic Development Refunding Revenue Bonds (Rand McNally & Company Project), Series 1989 (3131 North Franklin Road, District 12)					
REFERRED TO: Economic Development Committee					
	Adopted	06/13/94	06/15/94	325	442
10 SPONSORED BY: Curry					
DIGEST: electing to fund the operation of MECA in part with revenue of two million dollars from the County Option Income Tax					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	08/22/94	08/25/94	369	627
11 SPONSORED BY: Gilmer					
DIGEST: approving an application for designation of the former Target Distribution Center as an Industrial Recovery Site					
REFERRED TO: Metropolitan Development Committee					
	Adopted	08/22/94	08/25/94	433	629
12 SPONSORED BY: Borst					
DIGEST: authorizing City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1994 (Knob-in-the-Woods Project) in an amount not to exceed \$8,900,000 for F.C. Indianapolis L.P. for the acquisition, renovation and equipping of the existing 520 unit multi-family residential rental project known as Knob in the Woods apartments located at 2130 Waterford Place on approximately 66 acres of land (District 9)					
REFERRED TO: Economic Development Committee					
	Adopted	10/17/94	10/20/94	572	863

# 1994 GENERAL RESOLUTION INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
1 SPONSORED BY: Rhodes					
DIGEST: authorizing Marion County to provide worker's compensation by participation in the Indiana Public Employees' Plan, Inc.					
REFERRED TO: Administration and Finance Committee					
	Adopted	08/08/94	08/12/94	387	595
2 SPONSORED BY: Schneider					
DIGEST: reviewing, modifying and approving the operating and maintenance budget and tax levies of the Indianapolis Airport Authority District					
REFERRED TO: Municipal Corporations Committee					
	Adopted	09/28/94	Not Req.	497	698
3 SPONSORED BY: Schneider					
DIGEST: reviewing, modifying and approving the operating and maintenance budget and tax levies of the Capital Improvement Board of Managers of Marion County					
REFERRED TO: Municipal Corporations Committee					
	Adopted	09/28/94	Not Req.	498	701
4 SPONSORED BY: Schneider					
DIGEST: reviewing, modifying and approving the operating and maintenance budget and tax levies of the Health and Hospital Corporation of Marion County					
REFERRED TO: Municipal Corporations Committee					
	Adopted	09/28/94	Not Req.	499	705
5 SPONSORED BY: Schneider					
DIGEST: reviewing, modifying and approving the operating and maintenance budget and tax levies of the Indianapolis-Marion County Public Library Board					
REFERRED TO: Municipal Corporations Committee					
	Adopted	09/28/94	Not Req.	500	710
6 SPONSORED BY: Schneider					
DIGEST: reviewing, modifying and approving the operating and maintenance budget and tax levies of the Indianapolis Public Transportation Corporation					
REFERRED TO: Municipal Corporations Committee					
	Adopted	09/28/94	Not Req.	501	714
7 SPONSORED BY: O'Dell					
DIGEST: approving the schedule of charges for the care and maintenance of patients or residents of the Marion County Healthcare Center					
REFERRED TO: Community Affairs Committee					
	Adopted	09/28/94	09/29/94	430	847



# 1994 COUNCIL RESOLUTION INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
1 SPONSORED BY: West DIGEST: reappointing Ray Battey to the City-County Administrative Board REFERRED TO: Administration and Finance Committee	Adopted	01/10/94	Not Req.	702, 1993	8
2 SPONSORED BY: West DIGEST: reappointing Ruby Miller to the City-County Administrative Board REFERRED TO: Administration and Finance Committee	Adopted	01/10/94	Not Req.	703, 1993	8
3 SPONSORED BY: West DIGEST: reappointing Tony A. Buford to the Board of Public Works REFERRED TO: Public Works Committee	Adopted	01/10/94	Not Req.	712, 1993	9
4 SPONSORED BY: West DIGEST: appointing Holley Holmes to the Board of Public Works REFERRED TO: Public Works Committee	Adopted	01/10/94	Not Req.	713, 1993	9
5 SPONSORED BY: McClamroch DIGEST: confirming the appointment of Robert G. Elrod as Acting Clerk of the Council REFERRED TO: Whole Committee	Adopted	01/31/94	Not Req.	69	31
6 SPONSORED BY: West DIGEST: appointing Lois Horth to the Public Housing Advisory Council REFERRED TO: Metropolitan Development Committee	Adopted	01/31/94	Not Req.	663, 1993	33
7 SPONSORED BY: West DIGEST: reappointing Diana Wilson Hall to the Board of Parks and Recreation REFERRED TO: Parks and Recreation Committee	Adopted	01/31/94	Not Req.	708, 1993	33
8 SPONSORED BY: West DIGEST: reappointing Charles E. Kendall to the Board of Parks and Recreation REFERRED TO: Parks and Recreation Committee	Adopted	01/31/94	Not Req.	709, 1993	34
9 SPONSORED BY: West DIGEST: appointing Arno Haupt to the Board of Capital Asset Management REFERRED TO: Transportation Committee	Adopted	01/31/94	Not Req.	714, 1993	34
10 SPONSORED BY: West DIGEST: reappointing Michael Rodman to the Metropolitan Development Commission REFERRED TO: Metropolitan Development Committee	Adopted	02/14/94	Not Req.	706, 1993	61

# 1994 COUNCIL RESOLUTION INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
11 SPONSORED BY: West DIGEST: reappointing Randolph L. Snyder to the Metropolitan Development Commission REFERRED TO: Metropolitan Development Committee	Adopted	02/14/94	Not Req.	707, 1993	62
12 SPONSORED BY: West DIGEST: reappointing Elliott Nelson to the Board of Public Safety REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	02/14/94	Not Req.	711, 1993	62
13 SPONSORED BY: McClamroch DIGEST: reappointing James E. Sawyers to the Cable Franchise Board REFERRED TO: Administration and Finance Committee	Adopted	02/14/94	Not Req.	32	62
14 SPONSORED BY: McClamroch DIGEST: reappointing Mary Alice (Dubbie) Buckler to the Information Services Agency Board REFERRED TO: Administration and Finance Committee	Adopted	02/14/94	Not Req.	33	62
15 SPONSORED BY: McClamroch DIGEST: reappointing John von Arx to the Information Services Agency Board REFERRED TO: Administration and Finance Committee	Adopted	02/14/94	Not Req.	34	63
16 SPONSORED BY: McClamroch DIGEST: reappointing Phillip Hinkle to the Marion County Board of Tax Adjustment REFERRED TO: Administration and Finance Committee	Adopted	02/14/94	Not Req.	35	63
17 SPONSORED BY: McClamroch DIGEST: reappointing Mary Alice (Dubbie) Buckler to the Marion County Commission on Youth, Inc. REFERRED TO: Community Affairs Committee	Adopted	02/14/94	Not Req.	36	63
18 SPONSORED BY: McClamroch DIGEST: reappointing J. Byron Jensen to the Marion County Commission on Youth, Inc. REFERRED TO: Community Affairs Committee	Adopted	02/14/94	Not Req.	37	64
19 SPONSORED BY: McClamroch DIGEST: appointing David R. Shirley to the Marion County Commission on Youth, Inc. REFERRED TO: Community Affairs Committee	Adopted	02/14/94	Not Req.	40	64
20 SPONSORED BY: McClamroch DIGEST: reappointing Mark DeFabis to the Indianapolis City-Market Corporation Board REFERRED TO: Metropolitan Development Committee	Adopted	02/14/94	Not Req.	41	64



# 1994 COUNCIL RESOLUTION INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
21 SPONSORED BY: McClamroch DIGEST: reappointing Sara Mitten Snyder to the Indianapolis City-Market Corporation Board REFERRED TO: Metropolitan Development Committee	Adopted	02/14/94	Not Req.	42	65
22 SPONSORED BY: McClamroch DIGEST: reappointing Alan Retherford to the Metropolitan Board of Zoning Appeals Division I REFERRED TO: Metropolitan Development Committee	Adopted	02/14/94	Not Req.	43	65
23 SPONSORED BY: McClamroch DIGEST: reappointing Joanna Walker to the Metropolitan Board of Zoning Appeals Division I REFERRED TO: Metropolitan Development Committee	Adopted	02/14/94	Not Req.	44	65
24 SPONSORED BY: McClamroch DIGEST: reappointing Michael B. Murphy to the Metropolitan Board of Zoning Appeals Division II REFERRED TO: Metropolitan Development Committee	Adopted	02/14/94	Not Req.	46	66
25 SPONSORED BY: McClamroch DIGEST: reappointing Mary Jane Klepek to the Metropolitan Board of Zoning Appeals Division III REFERRED TO: Metropolitan Development Committee	Adopted	02/14/94	Not Req.	47	66
26 SPONSORED BY: McClamroch DIGEST: reappointing Ron Franklin to the Public Housing Advisory Council REFERRED TO: Metropolitan Development Committee	Adopted	02/14/94	Not Req.	48	66
27 SPONSORED BY: McClamroch DIGEST: reappointing Michael McQuillen to the Public Housing Advisory Council REFERRED TO: Metropolitan Development Committee	Adopted	02/14/94	Not Req.	49	66
28 SPONSORED BY: McClamroch DIGEST: reappointing Donald Palmer to the Urban Enterprise Association REFERRED TO: Metropolitan Development Committee	Adopted	02/14/94	Not Req.	50	67
29 SPONSORED BY: McClamroch DIGEST: reappointing J. Lloyd Grannan to the Animal Control Board REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	02/14/94	Not Req.	52	67
30 SPONSORED BY: McClamroch DIGEST: reappointing William S. Gardiner to the Citizens Police Complaint Board REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	02/14/94	Not Req.	53	67

# 1994 COUNCIL RESOLUTION INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
31 SPONSORED BY: McClamroch DIGEST: reappointing William B. Powers to the Citizens Police Complaint Board REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	02/14/94	Not Req.	54	68
32 SPONSORED BY: McClamroch DIGEST: reappointing Melanie A. Schlegelmilch to the Juvenile Detention Center Advisory Board REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	02/14/94	Not Req.	56	68
33 SPONSORED BY: McClamroch DIGEST: appointing Dennis Nicholas, M.D. to the Indianapolis-Marion County Forensic Board REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	02/14/94	Not Req.	57	68
34 SPONSORED BY: McClamroch DIGEST: reappointing Rondle W. Brewer to the Marion County Community Corrections Advisory Board REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	02/14/94	Not Req.	58	69
35 SPONSORED BY: McClamroch DIGEST: reappointing Susie Davie to the Marion County Community Corrections Advisory Board REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	02/14/94	Not Req.	59	69
36 SPONSORED BY: McClamroch DIGEST: reappointing Cleon H. Foust to the Marion County Community Corrections Advisory Board REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	02/14/94	Not Req.	60	69
37 SPONSORED BY: McClamroch DIGEST: reappointing Patricia M. Nickell to the Marion County Community Corrections Advisory Board REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	02/14/94	Not Req.	61	70
38 SPONSORED BY: McClamroch DIGEST: appointing Mary Stewart to the Marion County Community Corrections Advisory Board REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	02/14/94	Not Req.	63	70
39 SPONSORED BY: McClamroch DIGEST: reappointing Urban I. Merl, Jr. to the Alcoholic Beverage Board of Marion County REFERRED TO: Rules and Public Policy Committee	Adopted	02/14/94	Not Req.	24	71



# 1994 COUNCIL RESOLUTION INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
40 SPONSORED BY: Dowden					
DIGEST: renewing the Community Corrections program for fiscal year 1994-1995 and approving the Community Corrections Advisory Board's grant application to the State					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	02/14/94	Not Req.	27	82
41 SPONSORED BY: West					
DIGEST: conforming terms of appointments to the Public Defender Board to comply with amendments to the current ordinance					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	02/28/94	Not Req.	716, 1993	91
42 SPONSORED BY: West					
DIGEST: reappointing C. Richard Petticrew to the Indianapolis Economic Development Commission					
REFERRED TO: Economic Development Committee					
	Adopted	02/28/94	Not Req.	704, 1993	92
43 SPONSORED BY: West					
DIGEST: reappointing C. Richard Petticrew to the Indianapolis Economic Development Commission					
REFERRED TO: Economic Development Committee					
	Adopted	02/28/94	Not Req.	710, 1993	92
44 SPONSORED BY: McClamroch					
DIGEST: reappointing David Stirsman to the Indianapolis Public Transportation Corporation Board					
REFERRED TO: Municipal Corporations Committee					
	Adopted	02/28/94	Not Req.	51	93
45 SPONSORED BY: McClamroch					
DIGEST: reappointing Larna Spearman to the Citizens Police Complaint Board					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	02/28/94	Not Req.	55	93
46 SPONSORED BY: McClamroch					
DIGEST: reappointing Susan Brooks to the Marion County Community Corrections Advisory Board					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	02/28/94	Not Req.	62	93
47 SPONSORED BY: McClamroch					
DIGEST: appointing Ron Franklin to the Urban Enterprise Association					
REFERRED TO: Metropolitan Development Committee					
	Adopted	02/28/94	Not Req.	73	94
48 SPONSORED BY: McClamroch					
DIGEST: appointing Leslie Duvall to the Marion County Community Corrections Advisory Board					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	02/28/94	Not Req.	74	94

# 1994 COUNCIL RESOLUTION INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
49 SPONSORED BY: West					
DIGEST: reappointing Howard Howe to the Board of Capital Asset Management					
REFERRED TO: Transportation Committee					
	Adopted	03/21/94	Not Req.	715, 1993	138
50 SPONSORED BY: McClamroch					
DIGEST: reappointing Lelia Smith to the Marion County Commission on Youth, Inc.					
REFERRED TO: Community Affairs Committee					
	Adopted	03/21/94	Not Req.	39	139
51 SPONSORED BY: McClamroch					
DIGEST: appointing Phillip Hinkle to the Audit Committee					
REFERRED TO: Administration and Finance Committee					
	Adopted	03/21/94	Not Req.	70	139
52 SPONSORED BY: McClamroch					
DIGEST: appointing Ann Curry to the Animal Control Board					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	04/11/94	Not Req.	179	183
53 SPONSORED BY: West					
DIGEST: approving the Mayor's appointment of Daniel T. Kozlowski as Director of the Department of Metropolitan Development					
REFERRED TO: Metropolitan Development Committee					
	Adopted	04/11/94	Not Req.	141	179
54 SPONSORED BY: Dowden					
DIGEST: approving the Mayor's appointment of Michael E. Beaver as Director of the Department of Public Safety					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	04/11/94	Not Req.	146	180
55 SPONSORED BY: McClamroch					
DIGEST: reappointing David W. Hamilton to the Marion County Public Defender Board					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	04/11/94	Not Req.	147	180
56 SPONSORED BY: Coughenour					
DIGEST: approving the Mayor's appointment of Michael B. Stayton as Director of the Department of Public Works					
REFERRED TO: Public Works Committee					
	Adopted	04/11/94	Not Req.	155	181
57 SPONSORED BY: Curry					
DIGEST: approving the Mayor's appointment of Joseph E. Loftus as Deputy Mayor and Director of the Department of Administration					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	04/11/94	Not Req.	158	181



# 1994 COUNCIL RESOLUTION INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
58 SPONSORED BY: Curry					
DIGEST: approving the Mayor's appointment of Nancy Silvers as Deputy Mayor					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	04/11/94	Not Req.	159	181
59 SPONSORED BY: Gilmer					
DIGEST: approving the Mayor's appointment of Greg L. Henneke as Director of the Department of Capital Asset Management					
REFERRED TO: Capital Asset Management Committee					
	Adopted	04/11/94	Not Req.	163	182
60 SPONSORED BY: McClamroch					
DIGEST: appointing Charlotte MacBeth to the Juvenile Detention Center Advisory Board					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	04/11/94	Not Req.	178	182
61 SPONSORED BY: McClamroch					
DIGEST: reappointing Phyllis Carr to the Urban Enterprise Association					
REFERRED TO: Metropolitan Development Committee					
	Adopted	04/25/94	Not Req.	142	221
62 SPONSORED BY: Giffin					
DIGEST: approving the Mayor's appointment of Leon E. Younger as Director of the Department of Parks and Recreation					
REFERRED TO: Parks and Recreation Committee					
	Adopted	04/25/94	Not Req.	145	221
63 SPONSORED BY: McClamroch					
DIGEST: appointing Glenda Smith to the Community Centers of Indianapolis Board					
REFERRED TO: Community Affairs Committee					
	Adopted	04/25/94	Not Req.	171	221
64 SPONSORED BY: McClamroch					
DIGEST: appointing Robert A. Stewart to the Metropolitan Board of Zoning Appeals Division III					
REFERRED TO: Metropolitan Development Committee					
	Adopted	04/25/94	Not Req.	229	222
65 SPONSORED BY: McClamroch					
DIGEST: appointing Suellen Hart as Clerk of the Council					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	05/09/94	Not Req.	265	305
66 SPONSORED BY: McClamroch					
DIGEST: appointing Lacy M. Johnson to the Juvenile Detention Center Advisory Board					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	05/23/94	Not Req.	230	377

# 1994 COUNCIL RESOLUTION INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
67 SPONSORED BY: Hinkle DIGEST: requesting a moratorium on issuance of improvement location permits or zoning certifications for use of property for satellite wagering facilities REFERRED TO: Whole Committee	Adopted	05/23/94	Not Req.	311	377
68 SPONSORED BY: McClamroch DIGEST: appointing Richard Payne to the Audit Committee REFERRED TO: Administration and Finance Committee	Adopted	06/13/94	Not Req.	312	437
69 SPONSORED BY: McClamroch DIGEST: appointing Larry L. Tunget to the Board of Public Works REFERRED TO: Public Works Committee	Adopted	06/13/94	Not Req.	327	437
70 SPONSORED BY: West DIGEST: reappointing Jack H. Hall, M.D. to the Metropolitan Development Commission REFERRED TO: Metropolitan Development Committee	Adopted	06/27/94	Not Req.	705,1993	463
71 SPONSORED BY: McClamroch DIGEST: reappointing Larry J. Barrett to the Beech Grove Economic Development Commission REFERRED TO: Economic Development Committee	Adopted	07/11/94	Not Req.	177	512
72 SPONSORED BY: McClamroch DIGEST: appointing John A. Borgerding as Chief Financial Officer to the Council REFERRED TO: Rules and Public Policy Committee	Adopted	07/11/94	Not Req.	296	512
73 SPONSORED BY: McClamroch, O'Dell, Rhodes, SerVaas DIGEST: amending the 1994 schedule of regular council meetings REFERRED TO: Rules and Public Policy Committee	Adopted	07/11/94	Not Req.	345	513
74 SPONSORED BY: Borst DIGEST: staying the taking effect of certain regulations of the Board of Capital Asset Management REFERRED TO: Whole Committee	Adopted	08/08/94	Not Req.	474	541
75 SPONSORED BY: McClamroch DIGEST: appointing Isaac Randolph to the Metropolitan Board of Zoning Appeals II REFERRED TO: Metropolitan Development Committee	Adopted	08/08/94	Not Req.	372	542



# 1994 COUNCIL RESOLUTION INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
76 SPONSORED BY: McClamroch					
DIGEST: reappointing William R. Wayman to the Indianapolis-Marion County Building Authority Board of Trustees					
REFERRED TO: Administration and Finance Committee					
	Adopted	08/08/94	Not Req.	394	542
77 SPONSORED BY: McClamroch					
DIGEST: appointing Lance L. Bundles to the Metropolitan Development Commission					
REFERRED TO: Metropolitan Development Committee					
	Adopted	08/22/94	Not Req.	395	613
78 SPONSORED BY: Dowden					
DIGEST: amending the Community Corrections program for fiscal year 1994-1995, and approving the actions of the Community Corrections Advisory Board for and on behalf of the Superior Court, Juvenile Division's 1994-1995 grant application to the State					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	09/12/94	Not Req.	444	652
79 SPONSORED BY: West					
DIGEST: approving the Mayor's appointment of Elaine E. Bedel as Director of the Department of Metropolitan Development for a term ending December 31, 1994					
REFERRED TO: Metropolitan Development Committee					
	Adopted	09/28/94	Not Req.	431	670
80 SPONSORED BY: McClamroch					
DIGEST: reappointing Bernie Paul to the Air Pollution Control Board					
REFERRED TO: Public Works Committee					
	Adopted	09/28/94	Not Req.	535	671
81 SPONSORED BY: Borst, Hinkle, Rhodes					
DIGEST: requesting the Metropolitan Development Commission to initiate and adopt amendments to the Central Business District Zoning Ordinance to prohibit off-track betting facilities unless zoned as a special use (SU 44)					
REFERRED TO: Metropolitan Development Committee					
	Adopted	11/01/94	Not Req.	575	928
82 SPONSORED BY: SerVaas					
DIGEST: approving a schedule of regular council meetings for the year 1995					
REFERRED TO: Whole Committee					
	Adopted	11/28/94	Not Req.	686	957
83 SPONSORED BY: McClamroch					
DIGEST: requesting the Indianapolis-Marion County Building Authority to prepare specifications for provision of security services for the courts and to issue a request for proposals from private companies for such services					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	11/28/94	Not Req.	586	1019

# 1994 SPECIAL RESOLUTION INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
1 SPONSORED BY: Giffin DIGEST: recognizing Steven Rink, Decatur Township Trustee REFERRED TO: Whole Committee	Adopted	01/10/94	01/18/94	6	5
2 SPONSORED BY: Curry DIGEST: providing procedures for hearings on transition of operation of AWT plant REFERRED TO: Whole Committee	Adopted	01/10/94	Not Req.	21	7
3 SPONSORED BY: Dowden, Ruhmkorff DIGEST: authorizing the lease of office space by the Auditor's Office on behalf of Marion County for incarceration of prisoners REFERRED TO: Public Safety and Criminal Justice Committee	Adopted	01/10/94	Not Req.	685, 1993	22
4 SPONSORED BY: Gilmer, SerVaas, O'Dell DIGEST: recognizing Harry Feldman REFERRED TO: Whole Committee	Adopted	01/31/94	02/07/94	29	32
5 SPONSORED BY: Gilmer DIGEST: authorizing the Department of Transportation to lease its Civil Engineering Lab to Snell Environmental Group, Inc. REFERRED TO: Transportation Committee	Adopted	01/31/94	02/07/94	629, 1993	43
6 SPONSORED BY: Borst DIGEST: approving an amendment to the lease between the City, by and through its Department of Administration, and the City Market Corporation REFERRED TO: Metropolitan Development Committee	Adopted	01/31/94	02/07/94	684, 1993	43
7 SPONSORED BY: Rhodes DIGEST: approving a public purpose grant in the amount of \$25,000 to Central Indiana Radio Reading, Inc. REFERRED TO: Administration and Finance Committee	Adopted	01/31/94	02/07/94	2	45
8 SPONSORED BY: SerVaas, Boyd, McClamroch DIGEST: recognizing the services of Council Clerk Beverly S. Rippy REFERRED TO: Whole Committee	Adopted	02/14/94	02/22/94	96	60
9 SPONSORED BY: Short DIGEST: recognizing hero Scott Thomas REFERRED TO: Whole Committee	Adopted	02/28/94	03/07/94	128	89



# 1994 SPECIAL RESOLUTION INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
10 SPONSORED BY: Coughenour					
DIGEST: welcoming Shirley Jones to Indianapolis					
REFERRED TO: Whole Committee					
	Adopted	02/28/94	03/07/94	129	89
11 SPONSORED BY: Gilmer					
DIGEST: approving the leasing of property within Eagle Creek Park by the Department of Parks and Recreation for the purpose of establishing a restaurant and marina facility					
REFERRED TO: Parks and Recreation Committee					
	Adopted	02/28/94	03/07/94	25	91
12 SPONSORED BY: Borst					
DIGEST: amending Special Resolution No. 72, 1990, by extending the expiration date for Homeward Partners, Inc. through August 31, 1994					
REFERRED TO: Economic Development Committee					
	Adopted	02/28/94	03/07/94	102	97
13 SPONSORED BY: Borst					
DIGEST: amending Special Resolution No. 45, 1993, as amended by extending the expiration date for Brulin & Company, Inc. through August 31, 1994					
REFERRED TO: Economic Development Committee					
	Adopted	02/28/94	03/07/94	103	98
14 SPONSORED BY: Borst					
DIGEST: an inducement resolution for Enterprise Housing Brookside, Inc. in a amount not to exceed \$1,500,000 for the acquisition and renovation of the existing 140 unit multifamily residential rental project known as Brookside Courts Apartments located at 1840 Perkins Avenue					
REFERRED TO: Economic Development Committee					
	Adopted	02/28/94	03/07/94	105	100
15 SPONSORED BY: SerVaas					
DIGEST: recognizing "Buffalo Soldier" John Morton-Finney					
REFERRED TO: Whole Committee					
	Adopted	03/21/94	03/28/94	172	135
16 SPONSORED BY: Williams					
DIGEST: congratulating the Arsenal Technical High School Constitution team					
REFERRED TO: Whole Committee					
	Adopted	03/21/94	03/28/94	173	135
17 SPONSORED BY: Franklin					
DIGEST: recognizing Dorothea Green					
REFERRED TO: Whole Committee					
	Adopted	03/21/94	03/28/94	174	136
18 SPONSORED BY: Franklin					
DIGEST: recognizing Isaac Randolph, Jr.					
REFERRED TO: Whole Committee					
	Adopted	03/21/94	03/28/94	175	137

# 1994 SPECIAL RESOLUTION INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
19 SPONSORED BY: Beadling, Black, Borst, Boyd, Curry, Dowden, Hinkle Rhodes, Ruhmkorff, Shambaugh, West DIGEST: recognizing the 75th anniversary of the American Legion REFERRED TO: Whole Committee	Adopted	03/21/94	03/28/94	176	138
20 SPONSORED BY: Borst DIGEST: an inducement resolution for EPI Printers, Inc. in an amount not to exceed \$6,500,000 for the acquisition, construction and equipping of an approximately 33,500 square foot manufacturing facility to be used in EPI's printing business (7340 East 68th Street, District #4) REFERRED TO: Economic Development Committee	Adopted	03/21/94	03/28/94	136	142
21 SPONSORED BY: Ruhmkorff, O'Dell DIGEST: recognizing mathematics-talented student Melanie Wood REFERRED TO: Whole Committee	Adopted	04/11/94	04/20/94	224	176
22 SPONSORED BY: Golc DIGEST: recognizing Cathedral Coach Joseph F. Dezelan REFERRED TO: Whole Committee	Adopted	04/11/94	04/20/94	225	176
23 SPONSORED BY: Coughenour DIGEST: recognizing the award-winning Belmont AWT engineering project REFERRED TO: Whole Committee	Adopted	04/11/94	04/20/94	226	177
24 SPONSORED BY: Curry DIGEST: recognizing the Indy Miata Chapter of the Miata Club of America REFERRED TO: Whole Committee	Adopted	04/11/94	04/20/94	227	178
25 SPONSORED BY: Shambaugh DIGEST: affirming Council support for the Capital Improvements Board to proceed with a new downtown baseball stadium REFERRED TO: Municipal Corporations Committee	Adopted	04/11/94	04/20/94	192	190
26 SPONSORED BY: Boyd DIGEST: authorizing the Mayor to submit an application to the Indiana Housing Finance Authority for HOME Investment Funding on behalf of the Center Township Trustee REFERRED TO: Administration and Finance Committee	Adopted	04/11/94	04/20/94	137	199
27 SPONSORED BY: Dowden DIGEST: approving the leasing of farmland on Marion County Healthcare Center property by the Board of County Commissioners REFERRED TO: Administration and Finance Committee	Adopted	04/11/94	04/20/94	138	200



# 1994 SPECIAL RESOLUTION INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
28 SPONSORED BY: Borst, Coughenour, Mullin DIGEST: recognizing Southport High School's 100th Anniversary REFERRED TO: Whole Committee	Adopted	04/25/95	04/29/94	259	216
29 SPONSORED BY: Golc, Borst DIGEST: recognizing IPS science teacher Kevin C. Koers REFERRED TO: Whole Committee	Adopted	04/25/94	04/29/94	260	216
30 SPONSORED BY: Golc DIGEST: recognizing Harvey Knox, the "Mayor of Stringtown" REFERRED TO: Whole Committee	Adopted	04/25/94	04/29/94	261	217
31 SPONSORED BY: Beadling, Jones DIGEST: recognizing television reporter Barbara Boyd REFERRED TO: Whole Committee	Adopted	04/25/94	04/29/94	262	218
32 SPONSORED BY: Beadling, Jones DIGEST: recognizing television news anchor Howard Caldwell REFERRED TO: Whole Committee	Adopted	04/25/94	04/29/94	263	219
33 SPONSORED BY: Coughenour, Rhodes, Williams DIGEST: concerning federal anti-crime legislation REFERRED TO: Whole Committee	Adopted	04/25/94	04/29/94	264	220
34 SPONSORED BY: West DIGEST: approving the disbursement of \$60,000 of the Community Development Block Grant funds REFERRED TO: Metropolitan Development Committee	Adopted	04/25/94	04/29/94	199	296
35 SPONSORED BY: Gray DIGEST: recognizing the 1994 Police and Fire Sports Festival in Indianapolis REFERRED TO: Whole Committee	Adopted	05/09/94	05/12/94	285	302
36 SPONSORED BY: McClamroch DIGEST: recognizing Astronaut Dr. David A. Wolf REFERRED TO: Whole Committee	Adopted	05/09/94	05/12/94	286	303
37 SPONSORED BY: Coughenour DIGEST: concerning the former Tennessee Street REFERRED TO: Whole Committee	Adopted	05/09/94	05/12/94	287	303

# 1994 SPECIAL RESOLUTION INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
38 SPONSORED BY: Rhodes					
DIGEST: authorizing the execution of an amendment to the City-County Building lease between the Building Authority, the City, and the County					
REFERRED TO: Rules and Public Policy Committee					
	Adopted	05/09/94	05/12/94	238	361
39 SPONSORED BY: O'Dell, Ruhmkorff					
DIGEST: remembering Jacob M. "Jake" Greene					
REFERRED TO: Whole Committee					
	Adopted	05/23/94	05/25/94	309	374
40 SPONSORED BY: Beadling, Gilmer					
DIGEST: marking the 50th Anniversary of the June 6, 1944 Normandy Invasion					
REFERRED TO: Whole Committee					
	Adopted	05/23/94	05/25/94	310	375
41 SPONSORED BY: Boyd, SerVaas, McClamroch					
DIGEST: congratulating the Indiana Pacers					
REFERRED TO: Whole Committee					
	Adopted	05/23/94	05/25/94	322	376
42 SPONSORED BY: Hinkle, Jimison					
DIGEST: concerning United Way's "Day of Caring"					
REFERRED TO: Whole Committee					
	Adopted	06/13/94	06/15/94	346	436
43 SPONSORED BY: Borst					
DIGEST: amending S.R. No. 78, 1993 by extending the expiration date on the Inducement Resolution through November 30, 1994 for Forest City Residential Development, Inc.					
REFERRED TO: Economic Development Committee					
	Adopted	05/23/94	05/25/94	298	380
44 SPONSORED BY: O'Dell, Gray					
DIGEST: providing Council endorsement and support for the City's Youth Fair Chance Demonstration Project Proposal					
REFERRED TO: Community Affairs Committee					
	Adopted	05/23/94	05/24/94	140	407
45 SPONSORED BY: Rhodes					
DIGEST: approving a public purpose grant in the amount of \$65,000 to Indiana University for the purpose of financing educational access cable television programming for Marion County					
REFERRED TO: Administration and Finance Committee					
	Adopted	05/23/94	05/25/94	275	409
46 SPONSORED BY: Rhodes					
DIGEST: approving a salary administration plan for the City					
REFERRED TO: Administration and Finance Committee					
	Adopted	05/23/94	05/25/94	107	427



# 1994 SPECIAL RESOLUTION INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
47 SPONSORED BY: Borst					
DIGEST: amending S.R. No. 84, 1990, as amended, by extending the expiration date for Meadows Revival, Inc. through December 31, 1994 (38th and Meadows Drive, District 11)					
REFERRED TO: Economic Development Committee					
	Adopted	06/13/94	06/15/94	323	440
48 SPONSORED BY: Borst					
DIGEST: amending S.R. 72, 1990, as amended, by extending the expiration date for Homeward Partners, Inc. through July 31, 1994 (various Regional Center sites, Districts 16 and 20)					
REFERRED TO: Economic Development Committee					
	Adopted	06/13/94	06/15/94	324	441
49 SPONSORED BY: Borst					
DIGEST: approving an inducement resolution for the Jewish Federation of Greater Indianapolis in an amount not to exceed \$9,000,000 for the acquisition, renovation, construction and equipping of the Jewish Federation's existing facilities [which are leased to the Jewish Community Center Association of Indianapolis, Incorporation (the "JCCA")] to create additional classrooms, storage, office facilities and new programming opportunities for early childhood education, infant/toddler care and youth programming, as well as renovation for compliance with the Americans with Disabilities Act and with environmental laws plus additional office facilities for the Jewish Federation (6701 Hoover Road, District 2)					
REFERRED TO: Economic Development Committee					
	Adopted	06/13/94	06/15/94	326	444
50 SPONSORED BY: Rhodes					
DIGEST: amending the salary schedule for Marion County employees by adding a contingency range					
REFERRED TO: Administration and Finance Committee					
	Adopted	06/27/94	06/29/94	355	469
51 SPONSORED BY: O'Dell					
DIGEST: recognizing the Marion County Children's Guardian Home Guild					
REFERRED TO: Whole Committee					
	Adopted	07/11/94	07/14/94	416	485
52 SPONSORED BY: Dowden, Schneider, SerVaas					
DIGEST: recognizing East 91st Street Christian Church					
REFERRED TO: Whole Committee					
	Adopted	07/11/94	07/14/94	417	486
53 SPONSORED BY: Borst					
DIGEST: amending S.R. No. 72, 1990, as amended, by extending the expiration date for Homeward Partners, Inc. through December 31, 1994 (various Regional Center sites, Districts 16 and 20)					
REFERRED TO: Economic Development Committee					
	Adopted	07/11/94	07/14/94	384	502

# 1994 SPECIAL RESOLUTION INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
54 SPONSORED BY: Borst					
DIGEST: an inducement resolution for North American Laboratory, Inc. in an amount not to exceed \$3,000,000 for the acquisition, construction and equipping of an approximately 50,000 square foot building to be located at the southwest corner of 62nd Street and Guion Road which will be used for the manufacturing of a variety of dry mix products for the healthcare and food service industries (District 9)					
REFERRED TO: Economic Development Committee					
	Adopted	07/11/94	07/14/94	385	503
55 SPONSORED BY: Borst					
DIGEST: ratifying and extending S.R. No. 124, 1991 concerning Veltri Indiana, Inc. (Original Applicant) and MTJ Enterprises and ATF Automotive Group, Inc. (Successor Applicants) in an amount not to exceed \$8,500,000 for the acquisition, renovation, construction, equipping and expansion of an existing building containing approximately 105,858 square feet located at 415 North Tremont Avenue which will be used for the processing and manufacturing of metal stamping products (District 16)					
REFERRED TO: Economic Development Committee					
	Adopted	07/11/94	07/14/94	386	505
56 SPONSORED BY: Dowden					
DIGEST: declaring the construction of the sixth and seventh floors to the Marion County Jail a necessity and directing the Indianapolis-Marion County Building Authority to proceed immediately with the financing and construction of the two additional floors to the Jail					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	07/11/94	07/14/94	354	517
57 SPONSORED BY: West					
DIGEST: approving the disbursement of \$3,290,000 of Community Development Block Grant Funds					
REFERRED TO: Metropolitan Development Committee					
	Adopted	07/11/94	07/14/94	360	523
58 SPONSORED BY: Franklin					
DIGEST: recognizing the Brokenburr Trails summer youth team					
REFERRED TO: Whole Committee					
	Adopted	08/08/94	08/12/94	472	540
59 SPONSORED BY: O'Dell					
DIGEST: approving the lease of Department of Parks and Recreation property commonly referred to as the Post Road Community Center					
REFERRED TO: Parks and Recreation Committee					
	Adopted	08/08/94	08/12/94	329	590



# 1994 SPECIAL RESOLUTION INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
60 SPONSORED BY: McClamroch, Dowden, Franklin, Golc, Gray, SerVaas, Smith DIGEST: authorizing and requesting the Indianapolis-Marion County Building Authority to proceed to secure portions of the City- County Building used by courts REFERRED TO: Rules and Public Policy Committee	Adopted	08/08/94	08/12/94	370	593
61 SPONSORED BY: Dowden DIGEST: recognizing the Skiles Test All-Stars baseball team REFERRED TO: Whole Committee	Adopted	08/22/94	08/25/94	502	612
62 SPONSORED BY: Borst DIGEST: amending S.R. No. 45, 1993, as amended, by extending the expiration date for Brulin & Company, Inc. through March 31, 1995 (2920 Dr. Andrew J. Brown Avenue, District 22) REFERRED TO: Economic Development Committee	Adopted	08/22/94	08/25/94	476	617
63 SPONSORED BY: Smith DIGEST: recognizing the Franklin Central High School Band REFERRED TO: Whole Committee	Adopted	09/12/94	09/15/94	532	637
64 SPONSORED BY: Gilmer, Jimison, McClamroch, SerVaas DIGEST: commemorating the anniversary of the United States Constitution REFERRED TO: Whole Committee	Adopted	09/12/94	09/15/94	533	638
65 SPONSORED BY: Hinkle, Beadling, Borst, Dowden, Gilmer, SerVaas DIGEST: recognizing John R. Knox REFERRED TO: Whole Committee	Adopted	09/12/94	09/15/94	534	639
66 SPONSORED BY: Borst DIGEST: amending S.R. 20, 1994 (Inducement Resolution for EPI Printers, Inc.) by (i) extending the expiration date to April 30, 1995; (ii) deleting the address of 7340 East 68th Street and replacing it with the address of 7502 East 86th Street; and (iii) revising the definition of the Applicant to include V.I.B., Inc. (District 3) REFERRED TO: Economic Development Committee	Adopted	09/28/94	09/29/94	543	674

# 1994 SPECIAL RESOLUTION INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
67 SPONSORED BY: Borst					
DIGEST: an Inducement Resolution for Comar, Inc. to proceed with the acquisition, construction, installation and equipping of an approximately 105,000 square foot building to be located in the 4600 block of West 84th Street on approximately 7.92 acres of land which will be used by the Applicant for the manufacturing of custom glass and plastic packaging for use in the pharmaceutical, medical, diagnostic, healthcare, and cosmetics industries; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (District 1)					
REFERRED TO: Economic Development Committee					
	Adopted	09/28/94	09/29/94	544	675
68 SPONSORED BY: Coughenour, Rhodes					
DIGEST: concerning unfunded mandates					
REFERRED TO: Whole Committee					
	Adopted	10/17/94	10/20/94	601	857
69 SPONSORED BY: Jimison					
DIGEST: supporting the "I Have A Dream" National Youth Assembly					
REFERRED TO: Whole Committee					
	Adopted	10/17/94	10/20/94	602	858
70 SPONSORED BY: Borst					
DIGEST: amending S.R. No. 54, 1994 (Inducement Resolution for North American Laboratory Company in an amount not to exceed \$3,000,000 for the acquisition, construction and equipping of an approximately 50,000 square foot building to be located at the southwest corner of 62nd Street and Guion Road which will be used for the manufacturing of a variety of dry mix products for the healthcare and food service industries) by revising the definition of the Applicant (District 9)					
REFERRED TO: Economic Development Committee					
	Adopted	10/17/94	10/20/94	571	862
71 SPONSORED BY: Rhodes					
DIGEST: approving the issuance of a note by the City for the purpose of making advancements to the City Market Corporation to pay all or a portion of certain utilities expenses for the City Market accrued during the term of the lease					
REFERRED TO: Administration and Finance Committee					
	Adopted	10/17/94	10/20/94	546	868
72 SPONSORED BY: Coughenour					
DIGEST: signifying the City's intent to improve its rate of solid waste diversion from landfills					
REFERRED TO: Public Works Committee					
	Adopted	10/17/94	10/20/94	552	898



# 1994 SPECIAL RESOLUTION INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
73 SPONSORED BY: Coughenour					
DIGEST: recognizing Andy Sims and the DPW Solid Waste Management Division					
REFERRED TO: Whole Committee					
	Adopted	11/01/94	11/04/94	615	918
74 SPONSORED BY: Gilmer, Hinkle, SerVaas					
DIGEST: recognizing Raymond E. Gnat					
REFERRED TO: Whole Committee					
	Adopted	11/01/94	11/04/94	617	919
75 SPONSORED BY: Williams, Coughenour, SerVaas					
DIGEST: recognizing the Indianapolis Adult Literacy Coalition's Juvenile Violence: Kids and Crime forum					
REFERRED TO: Whole Committee					
	Adopted	11/01/94	11/04/94	618	920
76 SPONSORED BY: Gilmer					
DIGEST: determining the need to lease office space at Thomson Consumer Electronics, 600 North Sherman Drive, for the Department of Capital Asset Management's Asset Planning and Project Management Divisions					
REFERRED TO: Administration and Finance Committee					
	Adopted	11/01/94	11/04/94	574	927
77 SPONSORED BY: Smith					
DIGEST: recognizing the Franklin Township School Board					
REFERRED TO: Whole Committee					
	Adopted	11/14/94	11/17/84	616	933
78 SPONSORED BY: Borst					
DIGEST: an Inducement Resolution for Post Pointe Partners, Ltd., an Indiana limited partnership, to proceed with the acquisition, construction, renovation, installation and equipping of the existing 362 unit multifamily residential rental project known as Post Pointe Apartments located at 9027 East 39th Place on approximately 21.63 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, renovation, construction and installation of various site improvements at the facility (District 14)					
REFERRED TO: Economic Development Committee					
	Adopted	11/14/94	11/17/94	623	938
79 SPONSORED BY: Hinkle, Borst					
DIGEST: recognizing the public service of David S. Gilman					
REFERRED TO: Whole Committee					
	Adopted	11/28/94	12/01/94	671	956
80 SPONSORED BY: Boyd, Jimison					
DIGEST: commending and honoring Chief of Police James D. Toler for his commitment to duty and his service to the citizens of Indianapolis and the nation					
REFERRED TO: Whole Committee					
	Adopted	11/28/94	12/01/94	672	957

# 1994 SPECIAL RESOLUTION INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
81 SPONSORED BY: Giffin, Boyd, McClamroch, SerVaas DIGEST: recognizing Faye I. Mowery REFERRED TO: Whole Committee	Adopted	11/28/94	12/01/94	673	955
82 SPONSORED BY: Gilmer DIGEST: approving an amendment to the public lighting contract between the Indianapolis Power & Light Company and the City REFERRED TO: Rules and Public Policy Committee	Adopted	11/28/94	12/01/94	587	1019
83 SPONSORED BY: Beadling DIGEST: recognizing Indiana's Elementary Principal of the Year, Susan K. Brash REFERRED TO: Whole Committee	Adopted	12/12/94	12/15/94	699	1036
84 SPONSORED BY: Borst DIGEST: commending Purdue University REFERRED TO: Whole Committee	Adopted	12/12/94	12/15/94	700	1037
85 SPONSORED BY: Franklin DIGEST: recognizing powerlifter Krista Ford REFERRED TO: Whole Committee	Adopted	12/12/94	12/15/94	701	1038
86 SPONSORED BY: Borst DIGEST: amending S.R. No. 78, 1994 by increasing the amount of the inducement resolution to an amount not to exceed \$8,200,000 for Post Pointe Partners, Ltd. for the acquisition, construction, renovation, installation and equipping of the existing 362 unit multifamily residential rental project known as Post Pointe Apartments located at 9027 East 39th Place, on approximately 21.63 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, renovation, construction and installation of various site improvements at the facility (District 14) REFERRED TO: Economic Development Committee	Adopted	12/12/94	12/14/94	687	1039
87 SPONSORED BY: Borst DIGEST: amending S.R. No. 54, 1994 by extending the expiration date through June 30, 1995 for North American Laboratory Company, or a to-be-formed corporation, partnership or limited liability company, the shareholders, partners or members of which will be existing shareholders of North American Laboratory Company (Ronald H. Stern, Michael R. Oestreicher, Diana Oestreicher and Philip E. Himelstein) (District 9) REFERRED TO: Economic Development Committee	Adopted	12/12/94	12/15/94	688	1042



# 1994 SPECIAL RESOLUTION INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
88 SPONSORED BY: Borst					
DIGEST: amending S.R. No. 124, 1991, as amended, by extending the expiration date for MTJ Enterprises, Inc. and ATF Automotive Group, Inc. through June 30, 1995 (District 16)					
REFERRED TO: Economic Development Committee					
	Adopted	12/12/94	12/15/94	689	1042
89 SPONSORED BY: Borst					
DIGEST: amending S.R. No. 84, 1990, as amended, by extending the expiration date for Meadows Revival, Inc. through June 30, 1995 (District 11)					
REFERRED TO: Economic Development Committee					
	Adopted	12/12/94	12/15/94	690	1043
90 SPONSORED BY: Borst					
DIGEST: amending S.R. No. 72, 1990, as amended, by extending the expiration date for Homeward Partners, Inc. through June 30, 1995 (Districts 16, 20)					
REFERRED TO: Economic Development Committee					
	Adopted	12/12/94	12/15/94	691	1044
91 SPONSORED BY: Borst					
DIGEST: amending S.R. No. 49, 1994 by extending the expiration date for the Jewish Federation of Greater Indianapolis, Inc. through June 30, 1995 and increasing the amount of the inducement resolution to an amount not to exceed \$13,000,000 (District 2)					
REFERRED TO: Economic Development Committee					
	Adopted	12/12/94	12/15/94	692	1045
92 SPONSORED BY: Borst					
DIGEST: an inducement resolution for Indianapolis Art Center, Inc. in an amount not to exceed \$3,000,000 for the acquisition, construction, installation and equipping of an approximately 40,000 square foot building to be located at 820 East 67th Street on approximately 7 acres of land which will be used by the Applicant as studio classes, library, auditorium and administration to carry out its not-for-profit purposes as an art teaching and resource center providing year-round programs in studio art classes; the acquisition of machinery, equipment and furnishing for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (District 2)					
REFERRED TO: Economic Development Committee					
	Adopted	12/12/94	12/15/94	693	1047

# 1994 SPECIAL RESOLUTION INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
93 SPONSORED BY: Borst					
DIGEST: an inducement resolution for Pleasant Run Children's Homes, Inc. in an amount not to exceed \$7,600,000 for the acquisition, renovation, installation and equipping of an approximately 130,000 square foot building located at approximately 2300 Lafayette Road on approximately 14 acres of land which will be used by Pleasant Run to provide residential treatment services for children ages 6-18 years and to provide office space for Home-Based counseling, Therapeutic Fast Care, Residential Group Homes and Wrap-Around services; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (District 16)					
REFERRED TO: Economic Development Committee					
	Adopted	12/12/94	12/15/94	694	1049
94 SPONSORED BY: O'Dell					
DIGEST: approving the lease of the Marion County Healthcare Center					
REFERRED TO: Community Affairs Committee					
	Adopted	12/12/94	12/15/94	665	1054
95 SPONSORED BY: Hinkle, O'Dell, Moriarty Adams, Brents, Franklin					
DIGEST: directing the Office of Youth and Family Services to use the \$700,000 in their budget to finance the operation of Community Centers of Indianapolis, Inc. for 1995					
REFERRED TO: Community Affairs Committee					
	Adopted	12/12/94	12/15/94	655	1057



# 1994 REZONING ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
1 SPONSORED BY: Borst					
DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 4, 6706 East 82nd Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	01/10/94	Not Req.	8	10
2 SPONSORED BY: Borst					
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 701 South Mitthoefer Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	01/10/94	Not Req.	9	10
3 SPONSORED BY: Borst					
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 1702 South Franklin Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	01/10/94	Not Req.	11	11
4 SPONSORED BY: Borst					
DIGEST: rezoning ordinance for Washington Township, Councilmanic District 7, 2502 East 46th Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	01/10/94	Not Req.	12	11
5 SPONSORED BY: Borst					
DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 8015 Bluff Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	01/10/94	Not Req.	13	11
6 SPONSORED BY: Borst					
DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 1201 Byland Drive (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	01/10/94	Not Req.	14	11
7 SPONSORED BY: Borst					
DIGEST: rezoning ordinance for Washington Township, Councilmanic District 3, 1101 East 96th Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	01/10/94	Not Req.	15	11
8 SPONSORED BY: Borst					
DIGEST: rezoning ordinance for Washington Township, Councilmanic District 3, 4625 East 82nd Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	01/10/94	Not Req.	16	11

# 1994 REZONING ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
9 SPONSORED BY: Borst					
DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 8221 Morgantown Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	01/10/94	Not Req.	17	11
10 SPONSORED BY: Borst					
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 12, 9515 Shoreland Lane (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	01/10/94	Not Req.	18	12
11 SPONSORED BY: Borst					
DIGEST: rezoning ordinance for Franklin Township, Councilmanic District 23, 7633 Southeastern Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	01/10/94	Not Req.	19	12
12 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, 2131-2201 Dr. Andrew J. Brown Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	01/31/94	Not Req.	64	41
13 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, St. Joseph Neighborhood (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	01/31/94	Not Req.	65	42
14 SPONSORED BY: West					
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 5302 English Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	01/31/94	Not Req.	66	42
15 SPONSORED BY: West					
DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 5, 10702 East 56th Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	01/31/94	Not Req.	67	42
16 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 555 North New Jersey Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	01/31/94	Not Req.	68	42



# 1994 REZONING ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
17 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District #17, 4304 West Washington Street					
REFERRED TO: Whole Committee Committee					
	Adopted	02/14/94	Not Req.	97	75
18 SPONSORED BY: West					
DIGEST: rezoning ordinance for Washington Township, Councilmanic District #6, 4174 and 4186 North Broadway Street (approximate address)					
REFERRED TO: Whole Committee Committee					
	Adopted	02/14/94	Not Req.	98	75
19 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District #19, 1440 South Vinewood Avenue (approximate address)					
REFERRED TO: Whole Committee Committee					
	Adopted	02/14/94	Not Req.	99	75
20 SPONSORED BY: West					
DIGEST: rezoning ordinance for Warren Township, Councilmanic District #13, 50 South Munsie Street (approximate address)					
REFERRED TO: Whole Committee Committee					
	Adopted	02/14/94	Not Req.	100	75
21 SPONSORED BY: West					
DIGEST: rezoning ordinance for Franklin Township, Councilmanic District #23, 4901 South Emerson Avenue (approximate address)					
REFERRED TO: Whole Committee Committee					
	Adopted	02/14/94	Not Req.	101	75
22 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, 1602-1624 North New Jersey Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	02/28/94	Not Req.	131	103
23 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 7791 Crawfordsville Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	02/28/94	Not Req.	132	103
24 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 19, 1451 South Girls School Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	02/28/94	Not Req.	133	103

# 1994 REZONING ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
25 SPONSORED BY: West					
DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 4, 7340 East 86th Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	02/28/94	Not Req.	134	103
26 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, 1201 North Delaware Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	03/21/94	Not Req.	180	151
27 SPONSORED BY: West					
DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 4, 7502 North Shadeland Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	03/21/94	Not Req.	181	151
28 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, 502 North College Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	03/21/94	Not Req.	182	151
29 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, 640-644 East 10th Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	03/21/94	Not Req.	183	151
30 SPONSORED BY: West					
DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 5, 10603 Pendleton Pike (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	03/21/94	Not Req.	184	151
31 SPONSORED BY: West					
DIGEST: rezoning ordinance for Perry Township, Councilmanic District 20, 7418-7420 Madison Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	03/21/94	Not Req.	185	152
32 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 3977 West 10th Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	03/21/94	Not Req.	186	152



# 1994 REZONING ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
33 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 3977 West 10th Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	03/21/94	Not Req.	187	152
34 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 15, 12 North Rural Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	03/21/94	Not Req.	188	152
35 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 2236 & 2240 W. Howard Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	03/21/94	Not Req.	189	152
36 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 2201 & 2205 W. Howard Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	03/21/94	Not Req.	190	152
37 SPONSORED BY: West					
DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 4, 7990 Castleton Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	03/21/94	Not Req.	130	143
38 SPONSORED BY: West					
DIGEST: rezoning ordinance for Washington Township, Councilmanic District 7, 6219 Guilford Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	04/11/94	Not Req.	191	179
39 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, 302 East Fall Creek Parkway North Drive, 2801-2833 Washington Boulevard, 2802-2810 North New Jersey Street and 318-408 East 28th Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	04/11/94	Not Req.	231	187
40 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 17, 1702 West Miller Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	04/11/94	Not Req.	232	188

# 1994 REZONING ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
41 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 1002 West 25th Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	04/11/94	Not Req.	233	188
42 SPONSORED BY: West					
DIGEST: rezoning ordinance for Franklin Township, Councilmanic District 23, 5127, 529 and 5133 Elenor Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	04/11/94	Not Req.	234	188
43 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 19, 7101 West Morris Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	04/11/94	Not Req.	235	188
44 SPONSORED BY: West					
DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 4, 7005 Sargent Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	04/25/94	Not Req.	267	228
45 SPONSORED BY: West					
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 5401 Southeastern Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	04/25/94	Not Req.	268	229
46 SPONSORED BY: West					
DIGEST: rezoning ordinance for Pike Township, Councilmanic District 1, 5933 Lafayette Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	04/25/94	Not Req.	269	229
47 SPONSORED BY: West					
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 12, 7604 East 10th Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	04/25/94	Not Req.	270	229
48 SPONSORED BY: West					
DIGEST: rezoning ordinance for Pike Township, Councilmanic District 1, 7108 Coffman Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	04/25/94	Not Req.	271	229



# 1994 REZONING ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
49 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 4152 West Washington Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	04/25/94	Not Req.	272'	229
50 SPONSORED BY: West					
DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 4, 8131 Craig Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	04/25/94	Not Req.	273	229
51 SPONSORED BY: West					
DIGEST: rezoning ordinance for Perry Township, Councilmanic District 20, 7151 South Madison Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	04/25/94	Not Req.	274	229
52 SPONSORED BY: West					
DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 5, 11875 Pendleton Pike (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	05/09/94	Not Req.	288	306
53 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 16, 1626 Kessler Boulevard North Drive (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	05/09/94	Not Req.	289	306
54 SPONSORED BY: West					
DIGEST: rezoning ordinance for Washington Township, Councilmanic District 7, 599 West Westfield Boulevard (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	05/09/94	Not Req.	290	306
55 SPONSORED BY: West					
DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 5, 7902 North County Line Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	05/09/94	Not Req.	291	306
56 SPONSORED BY: West					
DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 7982 South Meridian Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	05/09/94	Not Req.	292	306

# 1994 REZONING ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
57 SPONSORED BY: West					
DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 5817 South Keystone Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	05/09/94	Not Req.	293	306
58 SPONSORED BY: West					
DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 6450 West Hanna Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	05/09/94	Not Req.	294	307
59 SPONSORED BY: West					
DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 4402 9th Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	05/09/94	Not Req.	295	307
60 SPONSORED BY: West					
DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 6010 West Southport Road (approxiamte address)					
REFERRED TO: Whole Committee					
	Adopted	05/23/94	Not Req.	314	381
61 SPONSORED BY: West					
DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 7720 Reynolds Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	05/23/94	Not Req.	315	381
62 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, 1418-1420 East 10th Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	05/23/94	Not Req.	316	381
63 SPONSORED BY: West					
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 131 South Mitthoeffer (rear) (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	05/23/94	Not Req.	317	381
64 SPONSORED BY: West					
DIGEST: rezoning ordinance for Perry Township, Councilmanic District 20, 7828 Madison Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	05/23/94	Not Req.	318	381



# 1994 REZONING ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
65 SPONSORED BY: West					
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 402 South Mitthoeffer Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	05/23/94	Not Req.	319	381
66 SPONSORED BY: West					
DIGEST: rezoning ordinance for Pike Township, Councilmanic District 1, 4874 North High School Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	05/23/94	Not Req.	320	381
67 SPONSORED BY: West					
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 7759 East English Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	05/23/94	Not Req.	321	381
68 SPONSORED BY: West					
DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 5, 7902 North County Line Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	06/13/94	Not Req.	347	445
69 SPONSORED BY: West					
DIGEST: rezoning ordinance for Pike Township, Councilmanic District 1, 9192 Waldemar Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	06/13/94	Not Req.	348	446
70 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 17, 1505 West Morris Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	06/13/94	Not Req.	349	446
71 SPONSORED BY: West					
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 5, 9467 East 38th Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	06/13/94	Not Req.	350	446
72 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 25, 111 West Raymond Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	06/13/94	Not Req.	351	446

# 1994 REZONING ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
73 SPONSORED BY: West					
DIGEST: rezoning ordinance for Washington Township, Councilmanic District 3, 3131 East 96th Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	06/13/94	Not Req.	352	446
74 SPONSORED BY: West					
DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 4, 8010 North Shadeland Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	06/13/94	Not Req.	313	446
75 SPONSORED BY: West					
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 12, 7604 East 10th Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	06/27/94	Not Req.	373	466
76 SPONSORED BY: West					
DIGEST: rezoning ordinance for Perry Township, Councilmanic District 20, 7151 South Madison Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	06/27/94	Not Req.	374	466
77 SPONSORED BY: West					
DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 5, 7902 North County Line Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	06/27/94	Not Req.	375	376
78 SPONSORED BY: West					
DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 5, 10308 East 59th Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	06/27/94	Not Req.	376	466
79 SPONSORED BY: West					
DIGEST: rezoning ordinance for Washington Township, Councilmanic District 3, 8875 Haverstick Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	06/27/94	Not Req.	377	467
80 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 6220 Rockville Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	06/27/94	Not Req.	378	467



# 1994 REZONING ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
81 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 8225-8235 Crawfordsville Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	06/27/94	Not Req.	379	467
82 SPONSORED BY: West					
DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 6130 Gray Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	06/27/94	Not Req.	380	467
83 SPONSORED BY: West					
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 5, 9041 East 30th Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	06/27/94	Not Req.	381	467
84 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 5315 Rockville Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	06/27/94	Not Req.	382	467
85 SPONSORED BY: West					
DIGEST: rezoning ordinance for Pike Township, Councilmanic District 2, 7879 Michigan Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	06/27/94	Not Req.	383	467
86 SPONSORED BY: West					
DIGEST: rezoning ordinance for Pike Township, Councilmanic District 2, 7259 New Augusta Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	07/11/94	Not Req.	418	517
87 SPONSORED BY: West					
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 10, 3333 North Emerson Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	07/11/94	Not Req.	419	518
88 SPONSORED BY: West					
DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 4, (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	07/11/94	Not Req.	420	518

# 1994 REZONING ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
89 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 8225-8235 Crawfordsville Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	07/11/94	Not Req.	421	518
90 SPONSORED BY: West					
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 2402 South Franklin Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	07/11/94	Not Req.	422	518
91 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 3239 Tansel Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	07/11/94	Not Req.	423	519
92 SPONSORED BY: West					
DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 7508 Lake Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	07/11/94	Not Req.	424	519
93 SPONSORED BY: West					
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 10, 2658 North Shadeland Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	07/11/94	Not Req.	425	519
94 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 5383 West Rockville Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	07/11/94	Not Req.	426	519
95 SPONSORED BY: West					
DIGEST: rezoning ordinance for Franklin Township, Councilmanic District 23, 5909 Bradston Way (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	08/08/94	Not Req.	465	549
96 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic Districts 21 and 22, 2201/2202 through 2301/2302 South Shelby Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	08/08/94	Not Req.	466	549



# 1994 REZONING ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
97 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 19, 9186 Rockville Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	08/08/94	Not Req.	467	549
98 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 10, 2815 and 2825 East 25th Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	08/08/94	Not Req.	468	550
99 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 15, 4530, 4534 and 4538 East 16th Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	08/08/94	Not Req.	469	550
100 SPONSORED BY: West					
DIGEST: rezoning ordinance for Perry Township, Councilmanic District 25, 321 and 401 West Edgewood Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	08/08/94	Not Req.	470	550
101 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 4102 Rockville Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	08/08/94	Not Req.	471	550
102 SPONSORED BY: West					
DIGEST: rezoning ordinance for Washington Township, Councilmanic District 3, 3850 East 82nd Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	08/08/94	Not Req.	473	550
103 SPONSORED BY: West					
DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 5151 West Troy Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	09/12/94	Not Req.	503	618
104 SPONSORED BY: West					
DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 5, 9879 East Fall Creek Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	09/12/94	Not Req.	504	618

# 1994 REZONING ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
105 SPONSORED BY: West DIGEST: rezoning ordinance for Warren Township, Councilmanic District 10, 6909 East 38th Street (approximate address) REFERRED TO: Whole Committee	Adopted	09/12/94	Not Req.	505	618
106 SPONSORED BY: West DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 6501 East Washington Street (approximate address) REFERRED TO: Whole Committee	Adopted	09/12/94	Not Req.	506	618
107 SPONSORED BY: West DIGEST: rezoning ordinance for Center Township, Councilmanic District 21, 1119 East Georgia Street (approximate address) REFERRED TO: Whole Committee	Adopted	09/12/94	Not Req.	507	618
108 SPONSORED BY: West DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 2819 Tansel Road (approximate address) REFERRED TO: Whole Committee	Adopted	09/12/94	Not Req.	508	618
109 SPONSORED BY: West DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 7009 West Thompson Road (approximate address) REFERRED TO: Whole Committee	Adopted	09/12/94	Not Req.	509	619
110 SPONSORED BY: West DIGEST: rezoning ordinance for Pike Township, Councilmanic District 1, 5755 Lafayette Road (approximate address) REFERRED TO: Whole Committee	Adopted	09/12/94	Not Req.	510	619
111 SPONSORED BY: West DIGEST: rezoning ordinance for Washington Township, Councilmanic District 6, 4172 North Broadway Street (approximate address) REFERRED TO: Whole Committee	Adopted	09/12/94	Not Req.	511	619
112 SPONSORED BY: West DIGEST: rezoning ordinance for Perry Township, Councilmanic District 20, 3715 South East Street (approximate address) REFERRED TO: Whole Committee	Adopted	09/12/94	Not Req.	512	619



# 1994 REZONING ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
113 SPONSORED BY: West					
DIGEST: rezoning ordinance for Washington Township, Councilmanic District 3, 8602 North College Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	09/12/94	Not Req.	513	619
114 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 610-650 North Senate Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	09/12/94	Not Req.	514	619
115 SPONSORED BY: West					
DIGEST: rezoning ordinance for Washington Township, Councilmanic District 11, 4650 Millersville Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	08/22/94	Not Req.	464	620
116 SPONSORED BY: West					
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 5102 East Washington Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	09/12/94	Not Req.	536	642
117 SPONSORED BY: West					
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 10, 2630 North Arlington Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	09/12/94	Not Req.	537	642
118 SPONSORED BY: West					
DIGEST: rezoning ordinance for Perry Township, Councilmanic District 20, 7119 U.S. 31 South (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	09/12/94	Not Req.	538	643
119 SPONSORED BY: West					
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 9305 Rawles Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	09/12/94	Not Req.	539	643
120 SPONSORED BY: West					
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 501 South Mitthoeffer Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	09/12/94	Not Req.	540	643

# 1994 REZONING ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
121 SPONSORED BY: West					
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 12, 3402 North Post Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	09/12/94	Not Req.	541	643
122 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 502 Fletcher Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	09/12/94	Not Req.	542	643
123 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 4152 West Washington Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	09/28/94	Not Req.	563	676
124 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 11, 3701 East 38th Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	09/28/94	Not Req.	564	676
125 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 414 West North Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	09/28/94	Not Req.	565	677
126 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 414 West North Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	09/28/94	Not Req.	565	677
127 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 3260 Salt Lake Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	09/28/94	Not Req.	567	677
128 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 17, 101 South Belmont Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	09/28/94	Not Req.	568	677



# 1994 REZONING ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
129 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, 1610, 1614, 1620, and 1624 North Alabama Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	09/28/94	Not Req.	569	677
130 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 707 Beachway Drive (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	10/17/94	Not Req.	592	865
131 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 8625, 8647 West 21st Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	10/17/94	Not Req.	593	865
132 SPONSORED BY: West					
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 1650 and 1651 German Church Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	10/17/94	Not Req.	594	865
133 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 2253 Raceway Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	10/17/94	Not Req.	595	866
134 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 22, 1582-1590 Central Avenue (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	10/17/94	Not Req.	596	866
135 SPONSORED BY: West					
DIGEST: rezoning ordinance for Lawrence Township, Councilmanic District 14, 8808 East 42nd Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	10/17/94	Not Req.	597	866
136 SPONSORED BY: West					
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 13, 9339, 9355, 9375 and 9385 (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	10/17/94	Not Req.	598	866

# 1994 REZONING ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
137 SPONSORED BY: West DIGEST: rezoning ordinance for Center Township, Councilmanic District 6, 3433 North Illinois Street (approximate address) REFERRED TO: Whole Committee	Adopted	10/17/94	Not Req.	599	866
138 SPONSORED BY: West DIGEST: rezoning ordinance for Washington Township, Councilmanic District 6, 4217 North Central Avenue (approximate address) REFERRED TO: Whole Committee	Adopted	10/17/94	Not Req.	600	866
139 SPONSORED BY: West DIGEST: rezoning ordinance for Decatur Township, Councilmanic District 19, 5601 West Thompson Road (approximate address) REFERRED TO: Whole Committee	Adopted	11/01/94	Not Req.	619	922
140 SPONSORED BY: West DIGEST: rezoning ordinance for Warren Township, Councilmanic District 12, 10602 East 10th Street (approximate address) REFERRED TO: Whole Committee	Adopted	11/01/94	Not Req.	620	922
141 SPONSORED BY: West DIGEST: rezoning ordinance for Warren Township, Councilmanic District 10, 5780 East 25th Street (approximate address) REFERRED TO: Whole Committee	Adopted	11/01/94	Not Req.	621	922
142 SPONSORED BY: West DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 1384 Country Club Road (approximate address) REFERRED TO: Whole Committee	Adopted	11/01/94	Not Req.	622	922
143 SPONSORED BY: West DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 3603 South Sherman Drive (approximate address) REFERRED TO: Whole Committee	Adopted	11/14/94	Not Req.	656	940
144 SPONSORED BY: West DIGEST: rezoning ordinance for Pike Township, Councilmanic District 1, 4930 and 4942 Lafayette Road (approximate address) REFERRED TO: Whole Committee	Adopted	11/14/94	Not Req.	657	940



# 1994 REZONING ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
145 SPONSORED BY: West					
DIGEST: rezoning ordinance for Washington Township, Councilmanic District 4, 4704 East 62nd Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	11/14/94	Not Req.	658	940
146 SPONSORED BY: West					
DIGEST: rezoning ordinance for Franklin Township, Councilmanic District 23, 6802 East Southport Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	11/14/94	Not Req.	659	940
147 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 1055 North Girls School Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	11/14/94	Not Req.	660	940
148 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 15, 2301 and 2303 East 10th Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	11/14/94	Not Req.	661	940
149 SPONSORED BY: West					
DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 3504 Developers Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	11/14/94	Not Req.	662	940
150 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 16, 2645, 2653 North Harding Street and 1373 West 27th Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	11/14/94	Not Req.	663	940
151 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 2451 Tansel Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	11/14/94	Not Req.	664	940
152 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 6601 West 10th Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	11/28/94	Not Req.	679	960

# 1994 REZONING ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
153 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 9, 1005-1019 West 27th Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	11/28/94	Not Req.	680	960
154 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 25, 1044-1050 Division Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	11/28/94	Not Req.	681	960
155 SPONSORED BY: West					
DIGEST: rezoning ordinance for Perry Township, Councilmanic District 24, 5079 East Thompson Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	11/28/94	Not Req.	682	960
156 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 17, 2002 South Holt Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	11/28/94	Not Req.	683	960
157 SPONSORED BY: West					
DIGEST: rezoning ordinance for Washington Township, Councilmanic District 2, 820 East 67th Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	11/28/94	Not Req.	684	960
158 SPONSORED BY: West					
DIGEST: rezoning ordinance for Warren Township, Councilmanic District 14, 10605 East 38th Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	11/28/94	Not Req.	685	960
159 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 1608-1626 Country Club Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	12/12/94	Not Req.	703	1050
160 SPONSORED BY: West					
DIGEST: rezoning ordinance for Wayne Township, Councilmanic District 18, 1948 North Country Club Road (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	12/12/94	Not Req.	704	1050



# 1994 REZONING ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
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161 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 22,					
3017 Dr. Andrew J. Brown Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	12/12/94	Not Req.	705	1051

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162 SPONSORED BY: West					
DIGEST: rezoning ordinance for Center Township, Councilmanic District 16,					
801-821 Paca Street (approximate address)					
REFERRED TO: Whole Committee					
	Adopted	12/12/94	Not Req.	706	1051

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# 1994 POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
1 SPONSORED BY: Rhodes					
DIGEST: approving a new salary schedule for bi-weekly employees of the Police Special Service District					
REFERRED TO: Administration and Finance Committee					
	Adopted	05/23/94	05/27/94	109	428
2 SPONSORED BY: Dowden					
DIGEST: the annual budget for the Police Special Service District for 1995					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	09/28/94	09/29/94	456	685
3 SPONSORED BY: Dowden					
DIGEST: approves reductions in proposed expenditures since the adoption of the 1994 Police Special Service District Annual Budget in the amount of \$990,955					
REFERRED TO: Administration and Finance Committee					
	Adopted	11/28/94	12/01/94	627	1029



# 1994 FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
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1 SPONSORED BY: Rhodes					
DIGEST: approving a new salary schedule for bi-weekly employees of the Fire Special Service District					
REFERRED TO: Administration and Finance Committee					
	Adopted	05/23/94	05/27/94	110	429
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2 SPONSORED BY: Dowden					
DIGEST: the annual budget for the Fire Special Service District for 1995					
REFERRED TO: Public Safety and Criminal Justice Committee					
	Adopted	09/28/94	09/29/94	457	690
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3 SPONSORED BY: Dowden					
DIGEST: approves reductions in proposed expenditures since the adoption of the 1994 Fire Special Service District Annual Budget in the amount of \$330,914					
REFERRED TO: Administration and Finance Committee					
	Adopted	11/28/94	12/01/94	628	1030
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# 1994 SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE INDEX

	Action	Date	Approved By Mayor	Proposal Number	Journal Page
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1 SPONSORED BY: Rhodes					
DIGEST: approving a new salary schedule for bi-weekly employees of the Solid Waste Collection Special Service District					
REFERRED TO: Administration and Finance Committee					
	Adopted	05/23/94	05/27/94	111	430
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2 SPONSORED BY: Coughenour					
DIGEST: the annual budget for the Solid Waste Collection Special Service District for 1995					
REFERRED TO: Public Works Committee					
	Adopted	09/28/94	09/29/94	458	695
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